

Historic, Archive Document

Do not assume content reflects current scientific knowledge, policies, or practices.

1
M345
Cop. 2

U.S. DEPARTMENT OF AGRICULTURE
Consumer and Marketing Service
Meat Inspection Program

Amendments to
THE REGULATIONS GOVERNING
THE MEAT INSPECTION
of the
UNITED STATES
DEPARTMENT OF AGRICULTURE

**These revised pages should be substituted
for the correspondingly numbered pages in
your present copy**

SRA-C&MS-188

8-11-66

product prepared, in whole or in part, therein, shall be inspected, handled, prepared, marked, and labeled as required by the regulations in Parts 301 through 329 of this subchapter.

§ 302.3 Horse slaughtering establishments requiring inspection. Every establishment in which horses are slaughtered for transportation or sale as articles of interstate or foreign commerce, or in which carcasses, parts of carcasses, meat, meat byproducts, or meat food products of, or derived from, horses are, wholly or in part, canned, cured, smoked, salted, packed, rendered, or otherwise prepared for transportation or sale as articles of interstate or foreign commerce, which are capable of being used as food for man, shall have inspection in accordance with the terms prescribed in Part 329 of this subchapter.

**PART 304—APPLICATIONS FOR INSPECTION OR EXEMPTION;
RETAIL BUTCHERS, RETAIL DEALERS, AND FARMERS**

Sec.

304.1 Application for inspection or exemption.

304.2 Inspection; drawings, information to be furnished, subsidiary establishments, notice of grant of inspection, false statements.

304.3 Retailers' exemptions.

304.5 Shipments of farm-dressed meat.

304.6 Inspection for violations.

§ 304.1 Application for inspection or exemption. (a)

The proprietor or operator of each establishment of the kind specified in § 302.1 of this subchapter shall make application to the Director of Division for inspection or for exemption from inspection.

(b) The proprietor or operator of each establishment of the kind specified in § 302.3 of this subchapter shall make application to the Director of Division for inspection.

(c) Every application under this section shall be made on a form furnished by the Division, Washington, D.C. In cases of change of ownership or change of location, a new application shall be made.

§ 304.2 Inspection; drawings, information to be furnished, subsidiary establishments, notice of grant of inspection, false statements. (a) Triplicate copies of complete drawings, with specifications, consisting of floor plans showing the locations of such features as the principal pieces of equipment, floor drains, principal drainage lines, hand-

washing basins, and hose connections for cleanup purposes; roof plans; elevations; cross and longitudinal sections of the various buildings showing such features as principal pieces of equipment, heights of ceilings, conveyor rails, and character of floors and ceilings; and a plot plan showing such features as the limits of the plant's premises, locations in outline of buildings on the premises, cardinal points of the compass, and roadways and railroads serving the plant, properly drawn to scale, shall accompany applications for inspection. Applicants for inspection may request information from the Director of Division concerning the requirements before submitting plans. *Provided, however,* That any applicant for inspection who held a certificate of exemption as a retail butcher or retail dealer immediately prior to making application for inspection may submit the drawings and plot plan required by this paragraph at any time within 1 year after making such application.

(b) Each application shall specify the names, addresses, and forms of organization of subsidiaries for which inspection is requested to do any of the business described in §§ 302.1 or 302.3 of this subchapter.

(c) Notice in writing shall be given to each applicant granted inspection, specifying the establishment to which the same applies.

(d) The Director of Division is hereby authorized to determine whether applications for inspection or for exemption from inspection shall be granted or refused, and to revoke his prior approval of any application if he determines that any false statement was made in such application.

§ 304.3 Retailers' exemptions. (a) *Statutory provisions; interpretation of term "consumer."* The Meat Inspection Act authorizes the Secretary of Agriculture, at his discretion, to permit any retail butcher or retail dealer to transport in interstate or foreign commerce to consumers and meat retailers in any one week not more than 5 carcasses of cattle, 25 carcasses of calves, 20 carcasses of sheep, 25 carcasses of lambs, 10 carcasses of swine, 20 carcasses of goats, or 25 carcasses of goat kids, or the equivalent of fresh meat therefrom, and to transport in such commerce to consumers only salted, cured, canned or otherwise prepared meat or meat food products, which have not been inspected and marked as "Inspected

and Passed” in accordance with the Act and the regulations thereunder. The term “consumer” is interpreted to mean household consumer, restaurant, hotel, boarding house, hospital, or similar institution as determined by the Director of Division.

(b) *Definition of retail butcher and dealer.* The Act defines a “retail butcher” and a “retail dealer” to mean any person, partnership, association, or corporation chiefly engaged in selling meat or meat food products to consumers only. In administration of the Act, any person, partnership, association or corporation will be deemed to be chiefly engaged in selling meat or meat food products to consumers only, if more than 50 percent of the meat and meat food products sold by such entity and all its affiliates are sold to consumers. Any such entity will be deemed to be a retail butcher or dealer under the Act only if in each quarter of the calendar year, the average weekly volume of fresh meat sold by it and all its affiliates does not exceed 35,000 pounds and the average weekly volume of prepared meat and meat food products sold by it and all its affiliates does not exceed 20,000 pounds. For the purposes of this paragraph, any entity that controls, is controlled by, or is under common control with any other entity shall be deemed to be an affiliate of the latter.

(c) *Application for exemption.* Application for permission to transport products which have not been inspected, examined, and marked as inspected and passed may be made by any retail butcher or retail dealer as defined in paragraph (b) of this section. A separate application shall be made with respect to each establishment for which such permission is desired. A separate conditional exemption conferring such permission will be granted and evidenced by an exemption certificate with respect to each eligible establishment.

(d) *Conditions of exemption.* Exemption will not be granted for any establishment if any business is transacted at the establishment in the name of anyone other than the applicant, e.g. in the name of a parent company, subsidiary, or tenant of the applicant; or if the establishment is not regularly maintained in a sanitary condition and consistently operated in a manner that will insure compliance with para-

graph (e) of this section; or unless more than 50 percent of the meat and meat food products sold at the establishment by the retail butcher or retail dealer are sold to consumers.

(e) *Requirements applicable to exempted retailers.* (1) Exempted retailers shall, with respect to the operation of their exempted establishments, conform to the same regulations in Parts 301-329 of this subchapter as apply to official establishments to the extent such regulations are applicable, including but not limited to the regulations regarding labeling, the use of dyes, chemicals, and preservatives, and the prescribed treatment of pork to destroy trichinae as required under Part 318 of this subchapter.

(2) On request of the Director of Division, or an employee designated by him, each exempted retailer shall furnish such information concerning his business and operations as is relevant with respect to the exemption of his establishment or establishments under this section. Each such retailer shall maintain for 1 year adequate records of all of his sales of meat and meat food products for Division review.

(f) *Effect of exemption.* (1) Exemption under this section will authorize the exempted retailer to transport to consumers and meat retailers in any one week from all of his exempted establishments a total of not in excess of the numbers of carcasses of cattle, calves, sheep, lambs, swine, goats, and goat kids, specified in paragraph (a) of this section, or the fresh meat equivalent thereof, which have not been inspected, examined and marked as inspected and passed in accordance with the Act and regulations in Parts 301 through 329 of this subchapter, and to transport to consumers only within the limits permitted under paragraph (b), of this section, salted, cured, canned, or otherwise prepared meat or meat food products which have not been so inspected, examined, and marked.

(2) Exemption under this section will authorize transportation of such products by the exempted retailer or the eligible customer, or the employees of such retailer or customer, and the offer of such products by such retailer, customer, or employees to a common or other carrier for transportation, and the receipt and transportation of such products by such carrier, in accordance with the Act and this section.

(3) Exemption under this section will authorize the transportation of such products only for the purpose of supplying the customers of the exempted retailer; and carcasses, fresh meat, and prepared meat and meat food products transported

under such an exemption to a consumer-customer shall be delivered directly to the domicile of the customer in the case of a household consumer-customer and directly to the food-preparation facility of the customer in the case of any other consumer-customer, and carcasses or fresh meat transported under such an exemption to a meat retailer-customer shall be delivered directly to the retail store of such retailer.

(g) *Withdrawal of exemption.* Exemption under this section may be withdrawn and the exemption certificate canceled by the Director of Division with respect to one or more exempted establishments operated by any exempted retail butcher or retail dealer under this section, as provided in § 304.2 or if he determines that the exemption holder no longer qualifies for exemption under paragraph (b) of this section or that there exists any condition specified in paragraph (d) of this section which would disqualify the establishment or establishments for exemption under this section, or that the exemption holder has failed to comply with any requirement under paragraph (e) or (f) of this section or any other applicable provision of the regulations in Parts 301-329 of this subchapter or of the Meat Inspection Act.

§ 304.5 Shipments of farm-dressed meat. The carcasses and products of animals slaughtered by any farmer on the farm: *Provided*, They can be identified as such and are sound, healthful, wholesome, and fit for human food, and otherwise meet the requirements of the applicable regulations in Parts 301 through 329 of this subchapter, may be transported in interstate or foreign commerce under the provisions of § 325.11 of this subchapter. A farmer need not apply for exemption from inspection in order to procure the transportation of such carcasses and products.

§ 304.6 Inspection for violations. The issuance of certificates of exemption shall be conditioned on the granting of permission by the holder thereof to inspectors to make inspections to ascertain whether any of the regulations in Parts 301 through 329 of this subchapter have been violated. Inspectors shall make inspections to ascertain whether any of the regulations in Parts 301 through 329 of this subchapter applying to retail butchers, retail dealers, farmers or other persons have been violated.

PART 305—OFFICIAL NUMBERS AND INAUGURATION OF INSPECTION

Sec.

- 305.1 Official numbers; subsidiary establishments.
- 305.2 Separation of official from unofficial establishment.
- 305.3 Sanitation and adequate facilities.
- 305.4 Inauguration of inspection.
- 305.5 Withdrawal of inspection for violations of regulations.
- 305.6 Reports of violations of regulations.

§ 305.1 Official numbers; subsidiary establishments.

(a) To each establishment granted inspection an official number shall be assigned. Such number shall be used to identify all inspected and passed products prepared in the establishment. More than one number shall not be assigned to an establishment.

(b) Two or more official establishments under the same ownership or control may be granted the same official number, provided a serial letter is added in each case to identify each establishment and the products thereof.

(c) When inspection has been granted to a person at an establishment, it shall not be granted to any other person at the same establishment, except that a subsidiary of the grantee, doing any of the business described in § 302.1 of this subchapter may apply for and receive inspection.

§ 305.2 Separation of official from unofficial establishment. (a) Each official establishment shall be separate and distinct from any other official establishment, from any unofficial establishment in which any product is handled, and from any other unofficial establishment at the discretion of the Director of Division.

(b) Inspection shall not be inaugurated in any building any part of which is used as living quarters, unless the part for which inspection is requested is separated from such quarters by floors, walls, and ceilings of solid concrete, brick, or similar material, and the floors, walls, and ceilings are without opening that directly or indirectly communicates with any part of the building used as living quarters.

§ 305.3 Sanitation and adequate facilities. Inspection shall not be begun if an establishment is not in a sanitary condition nor unless the establishment agrees to maintain such condition and provides adequate facilities for conducting such inspection.

have reduced the residue sufficiently to make the tissues of the animals fit for human food.

§ 309.20 Animals used for research. No animal used in any research investigation involving the feeding or other administration of, or subjection to, an experimental biological product, drug, or chemical shall be eligible for slaughter at an official establishment unless the operator of such establishment, the sponsor of the investigation, or the investigator has submitted data to the Meat Inspection Division, Animal Inspection and Quarantine Division, or Pesticide Regulations Division, of the Department of Agriculture, or to the Food and Drug Administration of the Department of Health, Education, and Welfare, which data or a summary evaluation thereof made by the recipient of the data and transmitted to the Meat Inspection Division demonstrate to the satisfaction of said Meat Inspection Division that the use of such biological product, drug, or chemical will not result in the presence of any unwholesome condition in the edible parts of such animal; and written approval by the Meat Inspection Division is furnished to the inspector in charge prior to the time of slaughter.

(a) No animal subject to the provisions of this section will be approved for slaughter by the Meat Inspection Division unless:

(1) In the case of an animal administered any unlicensed, experimental veterinary biological product regulated under the Virus-Serum Toxin Act (21 U.S.C. 151 et seq.), the product was prepared and distributed in compliance with Part 103 of the regulations issued under said Act (9 CFR Part 103);

(2) In the case of an animal administered any investigational drug regulated under the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 301 et seq.), the drug was prepared and distributed in compliance with the applicable provisions of Part 130 of the regulations issued under said Act (21 CFR Part 130);

(3) In the case of an animal subjected to any experimental poison under section 2(a) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 135 et seq.), the product was prepared and distributed in accordance with § 362.17 of the regulations issued under said Act (7 CFR 362.17); and

(4) In the case of an animal administered any substance that is a food additive or pesticide chemical under the Federal Food, Drug, and Cosmetic Act, *supra*, there has been compliance with all tolerance limitations established by said Act and the regulations promulgated thereunder (21 CFR 1.1 et seq.), and all other restrictions and requirements imposed by said Act and said regulations will be complied with at the time of slaughter.

(b) The Meat Inspection Division may deny or withdraw approval for the slaughter of any animal subject to the provisions of this section notwithstanding compliance with the provisions of paragraph (a) of this section whenever such denial or withdrawal of approval is deemed necessary to protect the wholesomeness of the meat, meat byproducts, and meat food products prepared under the supervision of the Meat Inspection Division.

PART 310—POST-MORTEM INSPECTION

Sec.

- 310.1 Extent and time of post-mortem inspection.
- 310.2 Organs and parts to be held pending final inspection of carcasses.
- 310.3 Carcasses and parts in certain instances to be retained.
- 310.4 Identification of carcasses and parts; tagging.
- 310.5 Condemned carcasses and parts to be so marked; tanking; separation.
- 310.6 Carcasses and parts passed for cooking; marking.
- 310.7 Removal of spermatic cords, pizzles and preputial diverticuli.
- 310.8 Passing and marking of carcasses and parts.
- 310.9 Anthrax; carcasses not to be eviscerated; carcasses affected to be tanked immediately; hides, hoofs, horns, hair, viscera and contents, and fat to be tanked; handling of blood and scalding vat water; general clean-up and disinfection.
- 310.10 Carcasses with skin or hide on; cleaning before evisceration; removal of larvae of *Hypodermae*, external parasites and other pathological skin conditions.
- 310.11 Cleaning of hog carcasses before incising.
- 310.12 Sternum to be split; abdominal and thoracic viscera to be removed.
- 310.13 Carcasses or parts thereof not to be inflated; transferring caul or other fat.
- 310.14 Handling of bruised parts.
- 310.16 Hyperimmune swine bled before entering official establishments.
- 310.17 Inspection of cattle, calf and sheep lungs; hog lungs not to be saved as edible.
- 310.18 Inspection of mammary glands.
- 310.19 Contamination of carcasses, organs or parts.
- 310.20 Inspection of kidneys.

manner to prevent contamination with fecal material, urine, bile, hair, dirt, or foreign matter. Accidental contamination of this type shall be promptly removed by washing or trimming in a manner satisfactory to the inspector.

§ 310.20 **Inspection of kidneys.** An employee of the establishment shall open the kidney capsule and expose the kidneys of all cattle, sheep, swine, and goats at the time of slaughter for the purpose of examination by a Division employee.

PART 311—DISPOSAL OF DISEASED CARCASSES AND PARTS

Sec.

- 311.1 Disposal of diseased carcasses and parts; general.
- 311.3 Tuberculosis; disposition of carcasses and parts.
- 311.4 Hog cholera; disposition of hog carcasses.
- 311.5 Carcasses of swine injected with hog cholera virus.
- 311.6 Swine erysipelas.
- 311.7 Diamond-skin disease.
- 311.8 Arthritis; disposition of carcasses and parts.
- 311.9 Cattle carcasses affected with anasarca or generalized edema.
- 311.10 Actinomycosis and actinobacillosis; disposition of carcasses and parts.
- 311.11 Anthrax, babesiosis, bacillary hemoglobinuria in cattle, black-leg, blue tongue in sheep, hemorrhagic septicemia, icterohematuria in sheep, infectious bovine rhinotracheitis, leptospirosis, malignant epizootic catarrh, and unhealed vaccine lesions; disposition of carcasses.
- 311.12 Neoplasms; disposition of carcasses and parts.
- 311.13 Epithelioma of the eye of cattle.
- 311.14 Pigmentary condition; Melanosis, Xanthosis, Ochronosis, etc.; disposition of carcasses and parts.
- 311.15 Abrasions, bruises, abscesses, pus, etc.; disposition of carcasses and parts.
- 311.16 Brucellosis.
- 311.17 Carcasses so infected that consumption of the meat may cause food poisoning.
- 311.18 Necrobacillosis, pyemia, septicemia; disposition of carcasses.
- 311.19 Caseous lymphadenitis; disposition of carcasses and parts.
- 311.20 Icterus; disposition of carcasses.
- 311.21 Sexual odor of swine; disposition of carcasses.
- 311.22 Mange or scab; disposition of carcasses.
- 311.23 Hogs affected with urticaria, tinea tonsurans, demodex folliculorum or erythema; disposition of carcasses.
- 311.24 Tapeworm cysts in cattle.
- 311.25 Hogs affected with tapeworm cysts (*cysticercus cellulosae*); disposition.
- 311.26 Parasites not transmissible to man; tapeworm cysts in sheep; hydatid cysts; flukes; gid bladderworms; disposition of carcasses and parts.
- 311.27 Emaciation; disposition of carcasses.
- 311.29 Slaughter of injured animals at unusual hours.
- 311.30 Carcasses of young calves, pigs, kids, and lambs; when condemned.
- 311.31 Unborn and stillborn animals.
- 311.32 Condemnation of animals suffocated and hogs scalded alive.

- 311.33 Livers affected with carotenosis; livers designated as "telangiectatic", "sawdust", or "spotted"; disposal.
- 311.34 Vesicular diseases; disposition of carcasses and parts.
- 311.36 Listeriosis.
- 311.37 Anemia; disposition of carcasses.
- 311.38 Muscular inflammation, degeneration, infiltration; disposition of carcasses and parts.
- 311.39 Coccidioidal granuloma; disposition of carcasses and parts.
- 311.40 Odors, foreign and urine; disposition of carcasses and parts.
- 311.41 Meat from animals which have been exposed to radiation; disposition.
- 311.42 Biological residues; disposition.

§ 311.1 Disposal of diseased carcasses and parts; general. (a) The carcasses or parts of carcasses of all animals slaughtered at an official establishment and found at the time of slaughter or at any subsequent inspection to be affected with any of the diseases or conditions named in this part shall be disposed of according to the section pertaining to the disease or condition. Owing to the fact that it is impracticable to formulate rules covering every case and to designate at just what stage a process becomes loathsome or a disease noxious, the decision as to the disposal of all carcasses, parts or organs not specifically covered in Parts 301 through 329 of this subchapter shall be left to the inspector in charge. The inspector in charge shall exercise his judgment regarding the disposition of all carcasses or parts of carcasses under this part in a manner which will insure that only wholesome product is passed for food.

(b) In cases of doubt as to a condition, a disease, or the cause of a condition, or to confirm a diagnosis, representative specimens of the affected tissues properly prepared and packaged should be sent for examination to one of the Biological Control laboratories of the Division.

§ 311.3 Tuberculosis; disposition of carcasses and parts. Carcasses of animals affected with tuberculosis shall be disposed of as follows:

(a) *Carcasses condemned.* The entire carcass shall be condemned if any of the following conditions occur:

(1) When the lesions of tuberculosis are generalized. Tuberculosis is considered to be generalized when the lesions are distributed in a manner made possible only by entry of the bacilli into the systemic circulation.

(2) When the animal was observed to have a fever on ante-mortem inspection which was found to be associated with an active tuberculous lesion on post-mortem inspection.

loaves, and similar products, provided all parts of such carcasses and parts which are so used are heated to a temperature not lower than 170° F. for a period of not less than 30 minutes, either before being used in or during the preparation of the finished product.

(b) When product passed for cooking is used as an ingredient of a meat food product as contemplated in paragraph (a) of this section at least 50 percent of the meat and meat byproduct ingredient shall consist of product passed for cooking. This requirement shall not apply when the product passed for cooking has been previously cooked as specified in paragraph (a) of this section before being used as an ingredient of a meat food product.

§ 315.3 Disposal of product passed for cooking if not handled according to this part. Product passed for cooking if not handled and processed under the provisions of this part, shall be disposed of in accordance with Part 314 of this subchapter.

PART 316—MARKING, BRANDING, AND IDENTIFYING PRODUCTS

Sec.

- 316.1 Approval of abbreviations of marks of inspection.
- 316.2 Preparation of marking devices bearing inspection legend without advance approval prohibited; exception.
- 316.3 Use of inspection legend prohibited except under supervision of Division employee.
- 316.4 Brands and marking devices to be approved by Director of Division; control of brands, etc.
- 316.5 Articles not to be removed from establishments unless marked in accordance with regulations.
- 316.6 Marks of inspection to be carefully applied.
- 316.7 Branding ink to be furnished by establishment; approval by Division, color.
- 316.8 Control and use of brands and marking devices furnished by Division.
- 316.9 Brands and marking devices not to be false or misleading; style and size of lettering.
- 316.10 Carcasses, primal parts, and products; marking with inspection legend.
- 316.11 Moving and handling of primal parts from one establishment to another.
- 316.12 Handling of products too small to be marked with brand.
- 316.13 Marking of meat food products in casings.
- 316.14 Marking product with the list of ingredients.
- 316.15 Marking of shipping containers; domestic meat label.
- 316.16 Tank cars and tank trucks used in transporting edible product.

- 316.17 Transferring inspected and passed product for export.
316.18 Denaturing of inedible grease, etc.; marking "inedible."
316.19 Failure to use, or detaching, altering, defacing, or destroying required marking or labeling prohibited.
316.20 Marking of meat food products other than products in casings.

§ 316.1 Approval of abbreviations of marks of inspection. (The Director of Division may approve and authorize the use of abbreviations of marks of inspection under the regulations in Parts 301 through 329 of this subchapter. Such abbreviations shall have the same force and effect as the respective marks for which they are authorized abbreviations.

§ 316.2 Preparation of marking devices bearing inspection legend without advance approval prohibited; exception. Except for the purpose of submitting a sample or samples of the same to the Director of Division for approval, no person shall procure, make, or prepare, or cause to be procured, made, or prepared, labels, brands, or other marking devices bearing the inspection legend or any abbreviations, copy or representation thereof, for use on any product without the written authority therefor of the Director of Division. However, when any sample label, brand, or other marking device is approved by the Director of Division, new supplies of such labels and new brands and other marking devices of a character exactly similar to such approved sample may be procured, made, or prepared, for use in accordance with the regulations in Parts 301 through 329 of this subchapter, without further approval by the Director of Division.

§ 316.3 Use of inspection legend prohibited except under supervision of Division employee. (a) No person shall affix or place, or cause to be affixed or placed, the inspection legend, or any abbreviation, copy, or representation thereof, to or on any product, or container thereof except under the supervision of a Division employee.

(b) No person shall fill, or cause to be filled, in whole or in part, with any product, any container bearing or intended to bear, the inspection legend, or any abbreviation, copy, or representation thereof, except under the supervision of a Division employee.

§ 316.4 Brands and marking devices to be approved by Director of Division; control of brands, etc. Official establishments shall furnish such ink brands, burning brands, and like devices for marking products as the Director of

where it was last processed: *Provided*, That skinned bacon intended for slicing need not be so marked if packed in properly marked containers. Additional marks of inspection may be applied as desired to meet local conditions.

(c) Beef livers shall be marked with the inspection legend and the establishment number on the convex surface of the thickest portion of the organ.

§ 316.11 Moving and handling of primal parts from one establishment to another. Primal parts of carcasses which have been inspected and passed but do not bear the inspection legend may be transported from one official establishment to another official establishment, for further processing, in a car, truck, or other closed container, if the car, truck, or container be sealed with a Division seal bearing the inspection legend in compliance with the regulations in Parts 301 through 329 of this subchapter.

§ 316.12 Handling of products too small to be marked with brand. Any product of such character or so small that it cannot be marked with a brand, and which has been inspected and passed but does not bear the inspection legend, may be removed from an official establishment for local or interstate transportation in closed containers bearing the inspection legend and such other marks as are required by the regulations in Parts 301 through 329 of this subchapter or in open containers bearing the inspection legend applied by means of a domestic meat label or trade label: *Provided*, That upon removal from such closed or open containers the product may not be further transported in interstate or foreign commerce unless reinspected by a Division employee and packed under his supervision in a container or containers bearing the inspection legend and such other marks as are required by the regulations in Parts 301 through 329 of this subchapter: *And provided further*, That unmarked product shall not be brought into an official establishment in an open container, except that which is returned to the establishment, and this must be held separate from other product pending removal from the establishment for disposal in intrastate trade only.

§ 316.13 Marking of meat food products in casings.

(a) Inspected and passed sausage and other products in casings, of the ordinary "ring" variety or larger, shall be marked with the inspection legend and the number of the establishment. Inspected and passed sausage and other prod-

ucts in casings, of the smaller varieties, shall bear one or more inspection marks to each chain or two or more of such marks to each bunch, except in cases where such smaller varieties of sausage and products leave establishments completely enclosed in properly labeled cartons or wrappers, having a capacity of 10 pounds or less and containing a single kind of product: *Provided*, That the mark of inspection need appear only twice throughout the contents of containers, exceeding a capacity of 10 pounds, of sausages of the smaller varieties shipped to another official establishment for further processing, or to a governmental agency. When such products are shipped to another official establishment for further processing, the inspector in charge at the point of origin shall identify the shipment to the inspector in charge at destination.

(b) Meat food products in casings, other than sausage, which possess the characteristics of or resemble sausage, shall bear on each link or piece the word "imitation" prominently displayed: *Provided*, That such products in casings as coppa, capocollo, lachschinken, bacon, pork loins, pork shoulder butts, and similar cuts of meat which are prepared without added substances other than curing materials or condiments, and meat rolls, bockwurst, and similar products in casings which do not contain cereal or vegetables, and headcheese, souse, sulze, scrapple, blood pudding, and liver pudding in casings need not be so marked; other products in casings such as loaves, chili con carne, and meat and cheese products when prepared with sufficient cheese to give definite characteristics to the finished products, may bear on each link or piece the true name of the product in lieu of the word "imitation"; and imitation sausage packed in properly labeled containers having a capacity of 1 pound or less and of a kind usually sold at retail intact, need not bear the word "imitation" on each link or piece if no other marking or labeling is applied to the product.

(c) (1) When cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, dried milk, nonfat dry milk, or calcium reduced dried skim milk is added to sausage within the limits prescribed under Part 317 of this subchapter, the product shall be marked with the name of each of such added ingredients, as for example, "cereal added," "potato flour added," "cereal and potato flour added," "soy flour added," "soy protein concentrate added,"

"isolated soy protein added," "nonfat dry milk added," "calcium reduced dried skim milk added" or "cereal and nonfat dry milk added," as the case may be. On sausage of the smaller varieties, the marking prescribed in this paragraph may be limited to links bearing the inspection legend.

(2) When an approved artificial smoke flavoring or an approved smoke flavoring is added to meat food products in casings, as permitted in Part 318 of this subchapter, the product shall be legibly and conspicuously marked in a manner approved by the Director to show a statement such as "Artificial Smoke Flavoring Added" or "Smoke Flavoring Added", whichever may be applicable.

(d)(1) When product is placed in casing to which artificial coloring is applied, as permitted under Parts 301 through 329 of this subchapter, the article shall be legibly and conspicuously marked by stamping or printing on the casing or securely affixing to the article the words "artificially colored."

(2) If the casing is removed from product at an official establishment and there is evidence of artificial coloring on the surface of the product, the article from which the casing has been removed shall be marked by stamping directly thereon or by securely affixing thereto the printed words "artificially colored."

(3) The casing containing product need not be marked to show that it is colored if it is colored prior to its use as a covering for the product, and the coloring is of a kind and so applied as not to be transferable to the product and not to be misleading or deceptive with respect to color, quality, or kind of product enclosed in the casing.

(4) In the case of sausage of the smaller varieties the marking prescribed in this paragraph may be limited to links bearing the inspection legend.

(e) When approved antioxidants are added to unsmoked dried sausage or frozen fresh pork sausage in casings the product shall be legibly and conspicuously marked in an approved manner to show their presence and the purpose for which they are added, for example, with the statement "oxygen interceptor added to improve stability".

(f) A cloth bag, artificial casing, or similar container of sausage, or other product of a size larger than that customarily sold at retail intact shall be printed with the mark

of inspection and any other marks required under paragraphs (b) through (e), near each end of the product, so as to be clearly visible to the consumer: *Provided*, That such articles which are printed with a label in conformity with Part 317 need not, in addition, show markings other than the mark of inspection near each end.

(g) The markings indicated in paragraph (f) of this section shall be branded near each end of sausage or similar product prepared in animal casings when the article is of a size larger than that customarily sold at retail intact.

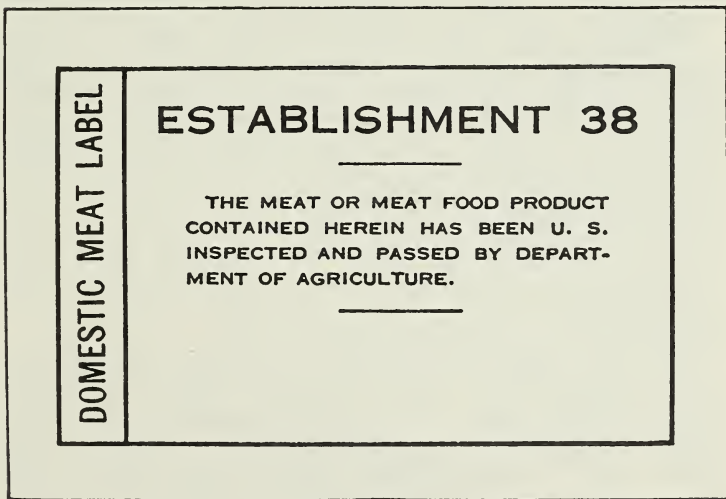
(h) All markings may be omitted from sausage and other meat food products in casings when these articles are to be processed in sealed containers.

§ 316.14 Marking product with the list of ingredients.

A product fabricated from two or more ingredients shall bear a list of the ingredients, giving the common or usual names of the ingredients arranged in the order of their predominance, except that spices may be designated as "spices" or "flavorings", and flavorings (including essential oils, oleoresins, and other spice extractives) may be designated as "flavorings" without naming each. The list of ingredients shall be applied legibly and securely to the product by means approved by the Director of Division, such as stamping, printing, or the use of paper bands, tags, or tied-in paper or fabric flaps on stuffed sausage, or tissue strips on loaf-like articles: *Provided*, That product for which a definition and standard of identity has been prescribed under Part 328 of this subchapter which conforms to such definition and standard, and which bears the name specified in the definition and standard, together with such declaration of optional ingredients and other labeling features as are required by the applicable definition and standard, need not bear a list of ingredients: *Provided further*, That bockwurst and sausages of the smaller varieties, such as frankfurters and pork sausage, shall bear the list of ingredients at least once on each 2 pounds of product: *Provided further*, That when such product is distributed from an official establishment in an immediate or true container of a type and size customarily sold at retail intact, the list of ingredients on the label of the package shall be sufficient: *And provided further*, That when sausages of the smaller varieties are shipped to another official establishment for further processing, or to a governmental agency, the list of ingredients need appear only twice

throughout the contents of containers and when so shipped may be omitted from the contents of containers of 10-pound size or less. When such products are shipped to another official establishment for further processing, the inspector in charge at the point of origin shall identify the shipment to the inspector in charge at destination by means of Form MI 408.

§ 316.15 Marking of shipping containers; domestic meat label. (a) Except as provided in this part and Part 325 of this subchapter, when any inspected and passed product for domestic commerce is moved from an official establishment, the shipping container shall bear an approved mark of inspection, as prescribed in Part 317 of this subchapter, or an approved domestic meat label, whichever is appropriate. The domestic meat label shall be 2¾ by 4 inches in size and shall be in form and substance as illustrated below, except that the name and address of the establishment, or the name only, may be printed on the label, at the bottom thereof:



The domestic meat label shall be printed with black ink on white paper of good quality, except that in the case of fiberboard shipping containers it may be printed directly on such containers in black ink on any color background,

except green, which offers sufficient contrast so that it is prominently and informatively displayed.

(b) When any product prepared in an official establishment for domestic commerce has been inspected and passed and is enclosed in a cloth wrapping, such wrapping may bear, in lieu of the domestic meat label, the inspection legend and establishment number applied by the approved 2½-inch rubber brand: *Provided*, The domestic meat label or rubber brand may be omitted in those cases in which the inspection legend and establishment number on the articles themselves are clearly legible through the wrapping or the wrapping is labeled in accordance with Part 317 of this subchapter: *Provided further*, That plain unprinted wrappings such as stockinettes, cheese cloth, paper and crinkled paper bags for properly marked fresh meat, including carcasses, and primal parts thereof, which are used solely to protect the product against soiling or excessive drying during transportation or storage need not bear the marks of inspection.

(c) The shipping or outside containers of products for export shall be marked in compliance with Part 324 of this subchapter.

§ 316.16 Tank cars and tank trucks used in transporting edible product. (a) Each tank car and each tank truck carrying inspected and passed product from an official establishment shall bear a label containing the true name of the product, the inspection legend, the establishment number, and the words "date of loading," followed by a suitable space for the insertion of the date. The label shall be located conspicuously and shall be printed on material of such character and so affixed as to preclude detachment or effacement upon exposure to the weather. Before the car or truck is removed from the place where it is unloaded, the carrier shall remove or obliterate such label.

(b) Tank cars and tank trucks carrying inspected and passed product from an official establishment to another official establishment or to a location operating under the Identification Service furnished under Part 340 of this subchapter shall be equipped for sealing and securely sealed by a Division employee with an official seal of the Department bearing the inspection legend.

§ 316.17 Transferring inspected and passed product for exports. When inspected and passed products for export are transferred from tank cars to other containers on boats, such transfer shall be done in accordance with the provisions outlined in Part 340 of this subchapter.

§ 316.18 Denaturing of inedible grease, etc.; marking "inedible". (a) Inedible grease, inedible tallow, or other inedible animal fat, or mixture containing such fat, having the physical characteristics of an edible product shall be denatured or otherwise destroyed for food purposes. Containers of such inedible grease, inedible tallow, or other inedible fat shall be marked conspicuously with the word "inedible". Such containers as tierces, barrels, and half barrels shall have both ends painted white with durable paint, if necessary, to provide a contrasting background, and the word "inedible" marked thereon in letters not less than 2 inches high, while on tank cars the letters shall be not less than 4 inches high.

(b) Inspected rendered animal fat which for any reason it is desired to classify as inedible may be shipped interstate if handled as provided in paragraph (a) of this section for inedible fat having the physical characteristics of an edible product.

(c) Uninspected non-exempt rendered animal fat, or mixtures containing such fat, having the physical characteristics of an edible product may be shipped interstate if handled as provided in paragraph (a) of this section for inedible fat having the physical characteristics of an edible product.

§ 316.19 Failure to use, or detaching, altering, defacing, or destroying required marking or labeling prohibited. The Meat Inspection Act (21 U.S.C. 79, 88) makes it a felony for any person, firm, or corporation, or officer, agent, or employee thereof, to fail to use, or to detach, without proper authority, or to knowingly or wrongfully alter, deface, or destroy any of the marks, stamps, tags, labels, or other identification devices provided for in the Act or the regulations thereunder on any meat or meat food products, or the containers thereof, subject to the Act. Accordingly any failure to use, or any detaching, altering, defacing, or destroying (including masking) of any marking or labeling required under the regulations in Parts 301 through 329 of this subchapter on any such product or container is prohibited, unless unavoidable in the customary subdivision or other processing or handling of the product.

§ 316.20 Marking of meat food products other than products in casings. When an approved artificial smoke flavoring or an approved smoke flavoring is added to meat food products, as permitted by Part 318 of this subchapter, the product shall be legibly and conspicuously marked in a manner approved by the Director to show a statement such as "Artificial Smoke Flavoring Added" or "Smoke Flavoring Added", whichever may be applicable.

PART 317—LABELING

Sec.

- 317.1 Labeling required; supervision by Division employee.
- 317.2 Labels: what to contain, when and how used.
- 317.3 Labels to conform with definitions and standards of identity.
- 317.4 Labels to be approved by Director of Division.
- 317.5 Inspector in charge to permit certain modifications of approved labels.
- 317.6 Approved labels to be used only on products to which they are applicable.
- 317.7 Product for foreign commerce; printing labels in foreign language permissible.
- 317.8 False or deceptive labeling and practices.
- 317.9 Labeling product prepared with artificial coloring, artificial flavoring, antioxidants, or preservatives or treated with ionizing radiation.
- 317.10 Reuse of inspection marks; reuse of containers bearing marks of inspection, labels, etc.; requirements regarding.
- 317.11 Labeling, filling of containers, handling of labeled products to be only in compliance with regulations.
- 317.12 Relabeling product, requirements regarding.
- 317.13 Distribution of labels bearing an inspection legend.
- 317.14 Rescindment of label approvals.

§ 317.1 Labeling required; supervision by Division employee. (a) When, in an official establishment, any inspected and passed product is placed or packed in any can, pot, tin, canvas, or other receptacle or covering constituting an immediate or true container, there shall be affixed to such container or covering a label as hereinafter described in this part: *Provided*, That plain wrappings for fresh meat, such as dressed carcasses and primal parts thereof, which are used solely to protect the product against soiling or excessive drying during transportation or storage need not bear a label: *Provided further*, That uncolored transparent coverings, such as cellophane, which bear no printed or graphic matter and which enclose any unpackaged or packaged product bearing all required markings need not bear a label if the required markings are clearly legible through such coverings: *Provided further*, That animal and transparent artificial casings bearing no marks or printed features other than those required under Part 316 of this subchapter need not bear additional labeling: *And provided further*, That stockinettes used as "operative devices," such as those applied to cured meats in preparation for smoking, need not bear labels whether or not such stockinettes are removed following completion of the operations for which they were applied.

(b) Folders and similar coverings made of paper or like

(4) The term "spring lamb" or "genuine spring lamb" is applicable only to carcasses of new-crop lambs slaughtered during the period beginning in March and terminating not beyond the close of the week containing the first Monday in October.

(5) Coverings shall not be of such color, design, or kind as to be misleading or deceptive with respect to color, quality, or kind of product to which they are applied. For example, transparent or semitransparent coverings for such articles as sliced bacon or pork sausage shall not bear lines or other designs of red or other color which give a false impression of leanness of the product.

(6) The word "fresh" shall not be used on labels to designate product which contains any sodium nitrate, sodium nitrite, potassium nitrate, or potassium nitrite, or which has been salted for preservation.

(7) The words "spice", "spices", and "spiced", without qualification, shall not be used unless they refer to genuine natural spices.

(8) As used on labels of meat or product, the term "gelatin" shall mean (i) the jelly prepared in official establishments by cooking pork skins, tendons, or connective tissue from inspected and passed product, and (ii) dry commercial gelatin or the jelly resulting from its use.

(9) Product (other than canned product) labeled with the term "loaf" as its name or part of its name shall be prepared in loaf form.

(10) The term "baked" shall apply only to the product which has been cooked by the direct action of dry heat and for a sufficient time to permit the product to assume the characteristics of a baked article, such as the formation of a brown crust on the surface, rendering out of surface fat, and the caramelization of the sugar if applied. Baked loaves shall be heated to a temperature of at least 160° F. and baked pork cuts shall be heated to an internal temperature of at least 170° F.

(11) When product such as loaves is browned by dipping in hot edible oil or by a flame, its label shall state such fact, the words "Browned in Hot Cottonseed Oil" or "Browned by a Flame", as the case may be, appearing as part of the name of product.

(12) The term "meat" and the names of particular kinds of meat, such as beef, veal, mutton, lamb, and pork, shall

not be used in such manner as to be misleading or deceptive.

(13) The word "ham", without any prefix indicating the species of animal from which derived, shall be used on labels only in connection with pork hams. Ham shanks as such or ham shank meat as such or the trimmings accruing in the trimming and shaping of hams shall not be labeled "ham" or "ham meat" without qualification. When used in connection with a chopped product the term "ham" or "ham meat" shall not include the skin.

(14) The terms "shankless" and "hockless" shall apply only to hams and pork shoulders from which the shank or hock has been completely removed, thus eliminating the entire tibia and fibula, or radius and ulna, respectively, together with the overlying muscle, skin, and other tissue.

(15) Such terms as "meat extract" or "extract of beef" without qualification shall not be used on labels in connection with products prepared from organs or parts of the carcass other than fresh meat. Extracts prepared from any parts of the carcass other than fresh meat shall not be labeled "meat extract" but may be properly labeled with the true name of the parts from which prepared. In the case of extract in fluid form, the word "fluid" shall also appear on the label, as, for example, "fluid extract of beef". Meat extract shall contain not more than 25 percent of moisture. Fluid extract of meat shall contain not more than 50 percent of moisture.

(16) When cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, dried milk, nonfat dry milk, or calcium reduced dried skim milk is added to sausage within the limits prescribed under this part, there shall appear on the label in a prominent manner, contiguous to the name of the product, the name of each such added ingredient, as, for example, "cereal added," "with cereal," "potato flour added," "cereal and potato flour added," "soy flour added," "soy protein concentrate added," "isolated soy protein added," "nonfat dry milk added," "calcium reduced dried skim milk added," or "cereal and nonfat dry milk added," as the case may be.

(17) When any product is enclosed in a container along with a packing substance such as brine, vinegar, or agar jelly, a declaration of the packing substance shall be printed prominently on the label in connection with the name of

product, as for example, "frankfurts packed in brine," "lamb tongue packed in vinegar," or "beef tongue packed in agar jelly," as the case may be. The statement of the quantity of contents shall represent the weight of the drained product when removed from the container to the exclusion of the packing substance. The packing substance shall not be used in such a manner as will result in the container being so filled as to be misleading.

(18) The term "lard" is applicable only to the fat rendered from fresh, clean, sound, fatty tissues from hogs in good health at the time of slaughter with or without lard stearin or hydrogenated lard. The tissues do not include bones, detached skin, head skin, ears, tails, organs, windpipes, large blood vessels, scrap fat, skimmings, settlings, pressings, and the like, and are reasonably free from muscle tissue and blood.

(19) The term "leaf lard" is applicable only to lard prepared from fresh leaf fat.

(20) The term "rendered pork fat" is applicable to the fat other than lard, rendered from clean, sound carcasses, parts of carcasses, or edible organs from hogs in good health at the time of slaughter, except that stomachs, bones from the head, and bones from cured or cooked pork are not included. The tissues rendered are usually fresh, but may be cured, cooked, or otherwise prepared and may contain some meat food products. Rendered pork fat may be hardened by the use of lard stearin and/or hydrogenated lard and/or rendered pork fat stearin and/or hydrogenated rendered pork fat.

(21) When lard or hardened lard is mixed with rendered pork fat, or hardened rendered pork fat, the mixture shall be designated as "rendered pork fat" or "hardened rendered pork fat" as the case may be.

(22) Oil, stearin, or stock obtained from beef or mutton fats rendered at a temperature above 170° F. shall not be designated as "oleo oil", "oleo stearin", or "oleo stock", respectively.

(23) When not more than 20 percent of beef fat, mutton fat, oleo stearin, vegetable stearin, or hardened vegetable fat is mixed with lard or with rendered pork fat, there shall appear on the label, contiguous to and in the same size and style of lettering as the name of product, the word "beef

fat added", "mutton fat added", "oleo stearin added", "vegetable stearin added", or "hardened vegetable fat added", as the case may be.

(24) The designation "vegetable fat" is applicable to vegetable oil, vegetable stearin, or a combination of such oil and stearin, whereas the designations "vegetable oil" and "vegetable stearin" shall be applicable only to the oil and the stearin, respectively.

(25) No rendered edible animal fat or mixture of fats containing rendered edible animal fat shall contain added water, except that puff pastry shortening may contain not more than 10 percent of water, and oleomargarine may contain water within the limits prescribed under Part 328 of this subchapter.

(26) Containers of edible rendered animal fats and mixtures of edible fats containing animal fats shall, before or immediately after filling, be legibly marked with the true name of the product. Shortening prepared with a mixture of meat fats and vegetable oils may be identified either as "Shortening Prepared with Meat Fats and Vegetable Oils" or "Shortening Prepared with Vegetable Oils and Meat Fats" without regard to the order of predominance of the fats and oils used, provided there is a significant amount of the lesser ingredient used.

(27) Product labeled "Chili Con Carne" shall contain not less than 40 percent of meat computed on the weight of the fresh meat. Head meat, cheek meat, and heart meat exclusive of the heart cap may be used to the extent of 25 percent of the meat ingredient under specific declaration on the label. The mixture may contain not more than 8 percent, individually or collectively, of cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, dried milk, nonfat dry milk, or calcium reduced dried skim milk.

(28) Product labeled "Chili Con Carne With Beans" shall contain not less than 25 percent of meat computed on the weight of the fresh meat. Head meat, cheek meat, and heart meat exclusive of the heart cap may be used to the extent of 25 percent of the meat ingredient under specific declaration on the label.

(29) Product labeled "hash" shall contain not less than 35 percent of meat computed on the weight of the cooked and trimmed meat. The weight of the cooked meat used in this

calculation shall not exceed 70 percent of the weight of the uncooked fresh meat.

(30) Products labeled as meat stews, for example, "beef stew", "lamb stew", and the like, shall contain not less than 25 percent of meat computed on the weight of the fresh meat.

(31) Product labeled "Tamales" shall be prepared with at least 25 percent meat computed on the weight of the uncooked fresh meat in relation to all ingredients of the tamales. When tamales are packed in sauce or gravy, the name of the product shall include a prominent reference to the sauce or gravy, for example "Tamales With Sauce" or "Tamales With Gravy." Product labeled "Tamales With Sauce" or "Tamales With Gravy" shall contain not less than 20 percent meat, computed on the weight of the uncooked fresh meat in relation to the total ingredients making up the tamales and sauce or the tamales and gravy.

(32) Spaghetti with meat balls and sauce, spaghetti with meat and sauce, and similar products, shall contain not less than 12 percent of meat computed on the weight of the fresh meat. The presence of the sauce or gravy constituent shall be declared prominently on the label as part of the name of the product. Meat balls may be prepared with not more than 12 percent, singly or collectively, of farinaceous material, soy flour, soy protein concentrate, isolated soy protein, nonfat dry milk, calcium reduced dried skim milk, and similar substances.

(33) Spaghetti sauce with meat shall contain not less than 6 percent of meat computed on the weight of the fresh meat.

(34) Scrapple shall contain not less than 40 percent of meat and/or meat byproducts computed on the basis of the fresh weight, exclusive of bone. The meal or flour used may be derived from grain and/or soybeans.

(35) Hamburger shall consist of chopped fresh beef, with or without the addition of beef fat as such and/or of seasoning, and shall not contain more than 30 percent of fat.

(36) Liver sausage, liver loaf, liver paste, liver cheese, liver pudding, liver spread, and the like shall contain not less than 30 percent of liver computed on the weight of the fresh liver.

(37) Product labeled "ham spread," "tongue spread," and the like, shall contain not less than 50 percent of the meat ingredient named computed on the weight of the fresh meat. Other meat and fat may be used to give the desired spreading

consistency provided it does not detract from the character of the named spread.

(38) Deviled ham may contain added ham fat: *Provided*, That the total fat content shall not exceed 35 percent of the finished product. The moisture content of deviled ham, deviled tongue, and the like, shall not exceed that of the fresh unprocessed meat.

(39) Potted meat food product and deviled meat food product shall not contain cereal, vegetable flour, nonfat dry milk, or similar substance. The amount of water added to potted meat food product and deviled meat food product shall be limited to that necessary to replace moisture lost during processing.

(40) Except as otherwise provided in this section, or as otherwise permitted under the Poultry Products Inspection Act with respect to products consisting partly of poultry, sausage shall be prepared with meat, or meat and meat by-product seasoned with condimental proportions of condimental substances. Pork sausage and breakfast sausage, whether fresh, smoked, or canned, shall not be made with any lot of product which, in the aggregate, contains more than 50 percent trimmable fat, that is, fat which can be removed by thorough, practicable trimming and sorting. Partially defatted pork fatty tissue or partially defatted beef fatty tissue may be used in the preparation of those types of sausage in which meat byproducts are considered normal ingredients. The amount of either, or a combination of both, shall not exceed 15 percent of the meat and meat byproduct portion of the formula. The terms "partially defatted pork fatty tissue" and "partially defatted beef fatty tissue" refer to the meat byproducts derived from the low temperature rendering (not exceeding 120° F.) of fresh pork fatty tissue exclusive of skin, or beef fatty tissue, respectively. Such byproducts shall have a pinkish color and a fresh odor and appearance. When used in any meat food product these meat byproducts shall be identified in the ingredient statement, respectively, as "Partially Defatted Pork Fatty Tissue" and "Partially Defatted Beef Fatty Tissue." Sausage may contain not more than 3½ percent, individually or collectively, of cereal, vegetable starch, starchy vegetable flour, soy protein concentrate, isolated soy protein, nonfat dry milk, calcium reduced dried skim milk, or dried milk; in determining the maximum amount of the ingredients specified in this

subparagraph which may be used, individually or collectively, in a product, 2 percent of isolated soy protein shall be considered the equivalent of 3.5 percent of any other ingredient specified in this subparagraph. To facilitate chopping or mixing or to dissolve the usual curing ingredients, water or ice may be used in the preparation of sausage which is not cooked, luncheon meat and meat loaf in an amount not to exceed 3 percent of the total ingredients used. Cooked sausage such as frankfurter, vienna, and bologna may contain no more than 10 percent of added water or other moisture.

(41) Cooked, cured, or pickled pigs feet, pigs knuckles, and the like, shall be labeled to show that the bones remain in the product, if such is the case. The designation "semi-boneless" shall not be used if less than 50 percent of the total weight of bones has been removed.

(42) Canned product labeled "Corned Beef" and canned product labeled "Roast Beef Parboiled and Steam Roasted" shall be prepared so that the weight of the finished product shall not exceed 70 percent by weight of the fresh beef, plus salt and flavoring material included in the product. Beef cheek meat and beef head meat from which the overlying glandular and connective tissues have been removed, and beef heart meat, exclusive of the heart cap may be used individually or collectively to the extent of 5 percent of the meat ingredient in the preparation of canned product labeled "Corned Beef" and canned product labeled "Roast Beef Parboiled and Steam Roasted". When beef cheek meat, beef head meat, and beef heart meat are used in the preparation of these products, their presence shall be reflected in the statement of ingredients as required by this part.

(43) When monoglycerides, diglycerides, and/or polyglycerol esters of fatty acids are added to rendered animal fat or a combination of such fat and vegetable fat, there shall appear on the label in a prominent manner and contiguous to the name of the product a statement such as "With Monoglycerides and Diglycerides Added," or "With Diglycerides and Monoglycerides," or "With Polyglycerol Esters of Fatty Acids," as the case may be.

(44) Canned product labeled "Tripe With Milk" shall be prepared so that the finished canned article, exclusive of the cooked-out juices and milk, will contain at least 65 percent tripe. The product shall be prepared with not less than 10 percent milk.

(45) Product labeled "Beans With Frankfurters in Sauce," "Sauerkraut With Wieners and Juice," and the like, shall contain not less than 20 percent frankfurters or wieners computed on the weight of the smoked and cooked sausage prior to its inclusion with the beans or sauerkraut.

(46) Product labeled "Lima Beans With Ham in Sauce," "Beans With Ham in Sauce," "Beans With Bacon in Sauce," and the like, shall contain not less than 12 percent ham or bacon computed on the weight of the smoked ham or bacon prior to its inclusion with the beans and sauce.

(47) Product labeled "Chow Mein Vegetables With Meat" and "Chop Suey Vegetables With Meat" shall contain not less than 12 percent meat computed on the weight of the uncooked fresh meat prior to its inclusion with the other ingredients.

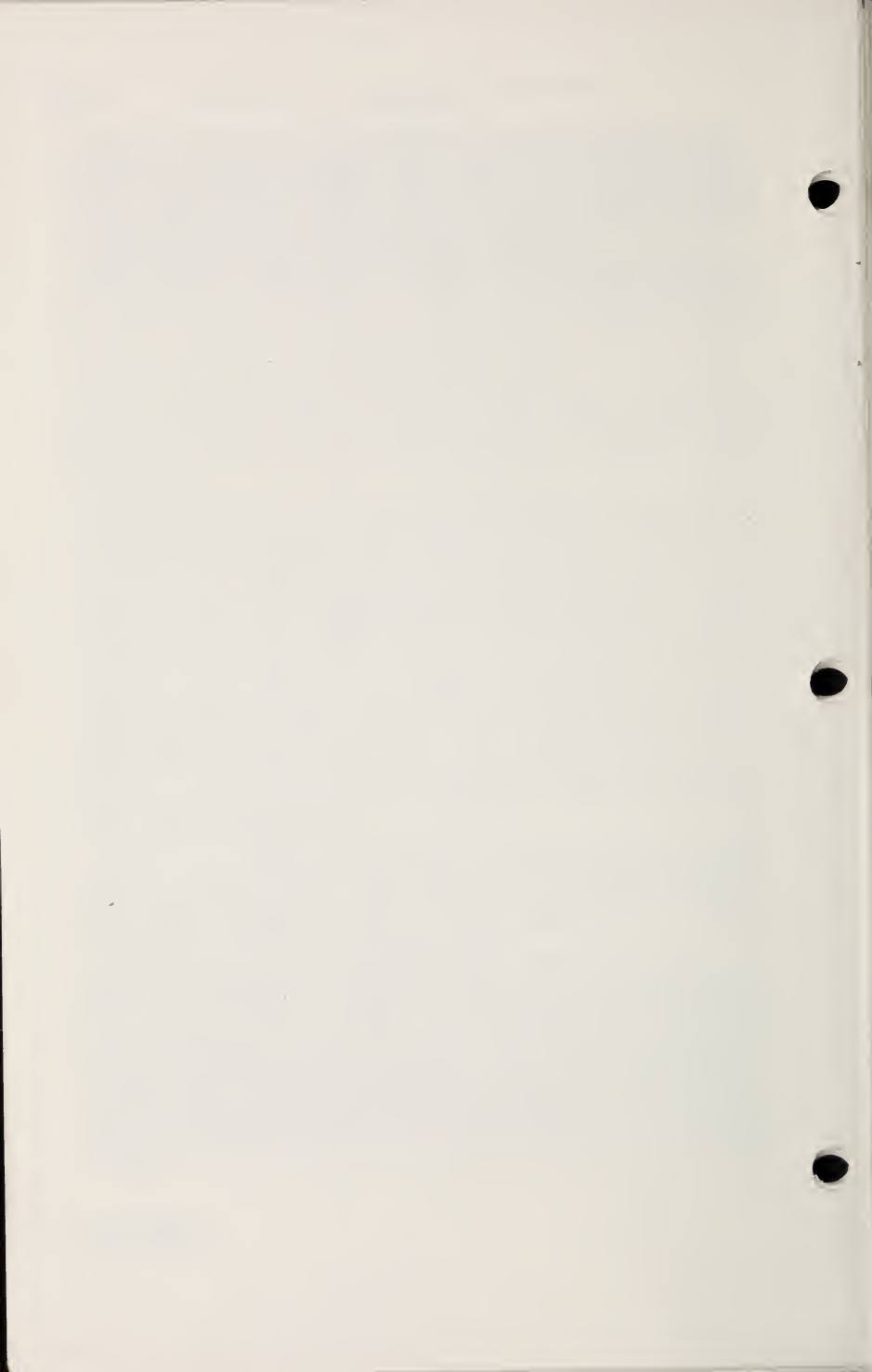
(48) Products labeled "Pork With Barbecue Sauce" and "Beef With Barbecue Sauce" shall contain not less than 50 percent meat computed on the weight of the cooked and trimmed meat. The weight of the cooked meat used in this calculation shall not exceed 70 percent of the uncooked weight of the meat. If uncooked meat is used in formulating the products, they shall contain at least 72 percent meat computed on the weight of the fresh uncooked meat. When cereal, vegetable flour, soy flour, soy protein concentrate, isolated soy protein, nonfat dry milk, calcium reduced dried skim milk or similar substances are used in preparing the products, such fact shall be prominently stated contiguous to the name of the product.

(49) The weight of smoked product such as hams, pork shoulders, pork shoulder picnics, pork shoulder butts, beef tongues, and the like, except hams, pork shoulder picnics, and similar products prepared for canning, shall not exceed the weight of the fresh uncured article.

(50) The terms "Animal Fat" and "Meat Fat" may be used synonymously to identify rendered fats obtained from cattle, sheep, swine, or goats in the name of product and ingredient statement for such meat food products as shortening and uncolored oleomargarine. The terms "Animal Fat" or "Meat Fat" shall not be used to identify such well known single commodities as lard, rendered pork fat, oleo oil, oleo stearin, oleo stock and the like when prepared and packed as such.

(51) "Beef with Gravy" and "Gravy with Beef" shall not be made with beef which, in the aggregate for each lot contains more than 30 percent trimmable fat, that is, fat which can be removed by thorough practical trimming and sorting.

(52) The application of curing solution to beef briskets shall not result in an increase in the weight of the finished cured product of more than 20 percent over the weight of



(64) When methyl polysilicone is added as an antifoaming agent to rendered fats, its presence shall be declared on the label contiguous to the name of the product. Such declaration shall read "Methyl Polysilicone Added."

(65) Cured, unsmoked, boneless pork shoulders, pork shoulder butts, or pieces of pork loin, in casings or similar packages of consumer size, shall not contain more than 10 percent added substances as a result of the curing process.

(66) Cheesefurters and similar products made in simulation of sausage in casings but containing sufficient cheese to give definite characteristics to the finished article may contain cereal, vegetable starch, starchy vegetable flour, soy flour, soy protein concentrate, isolated soy protein, nonfat dry milk, calcium reduced dried skim milk, or dried milk. The finished product shall contain no more than $3\frac{1}{2}$ percent of these additives, individually or collectively, exclusive of the cheese constituent. In determining the maximum amount of the ingredients specified in this subparagraph which may be used, individually or collectively, in a product, 2 percent of isolated soy protein shall be considered the equivalent of 3.5 percent of any other ingredient specified in this subparagraph. When any such additive is added to these products, there shall appear on the label in a prominent manner, contiguous to the name of the product, the name of each such added ingredient, as for example, "Cereal Added," "With Cereal," "Potato Flour Added," "Cereal and Potato Flour Added," "Soy Flour Added," "Nonfat Dry Milk Added," "Cereal and Nonfat Dry Milk Added," as the case may be.

(67) When harmless synthetic flavoring is added to product for which it is approved by the Director of Division, it shall be declared in the ingredient statement as "Artificial Flavoring."

(68) The amount of batter and breading used as a coating for breaded product shall not exceed 30 percent of the weight of the finished breaded product.

(d) When a statement of quantity of contents is shown on a label it shall not be false or deceptive. Except as provided in § 317.7, it shall meet the following requirements. It shall represent in terms of avoirdupois weight or liquid measure the quantity of product in the package exclusive of materials packed with it. Where no general consumer usage to the contrary exists, the statements shall be in terms of liquid measure, if the product is liquid, or in terms of weight if the product is solid, semisolid, viscous, or a mixture of solid and liquid. Unless the statement is so qualified as

to show that it expresses the minimum quantity, it shall be taken to express the actual quantity. When the statement expresses the minimum quantity, no variation below the stated minimum shall be permitted, and variations above the stated minimum shall be no greater than consistent with filling the container to the stated minimum in accordance with good commercial practice. When the statement expresses actual quantity, variations incident to packaging in accordance with good commercial practice shall be allowed but the average shall not be less than the quantity stated.

(69) When pizzas are formulated with crust containing calcium propionate or sodium propionate, there shall appear on the label contiguous to the name of the product the statement "----- added to retard spoilage of the crust" preceded by the name of the preservative.

§ 317.9 Labeling products prepared with artificial coloring, artificial flavoring, antioxidants, or preservatives or treated with ionizing radiation. Product which bears or contains any artificial coloring, artificial flavoring, antioxidants, or preservatives as permitted under Parts 301 through 329 of this subchapter shall bear labeling stating that fact.

(a) Artificial coloring of edible fats shall be declared on the label in a prominent manner and contiguous to the name of the product by the words "artificially colored."

(b) (1) When product is placed in casing to which artificial coloring is applied, as permitted under Parts 301 through 329 of this subchapter, there shall appear on the label, in a prominent manner and contiguous to the name of the product, the words "artificially colored."

(2) If the casing is removed from product at an official establishment and there is evidence of the artificial coloring on the surface of the product, there shall appear on the label in a prominent manner and contiguous to the name of the product, the words, "artificially colored."

(3) When the casing is colored prior to its use as a covering for product, the color shall be of a kind and so applied as not to be transferable to the product and not to be misleading or deceptive with respect to color, quality, or kind of product enclosed in the casing, and no reference to color need appear on the label.

(c) When any artificial flavoring is permitted to be added to product there shall appear on the label in prominent letters and contiguous to the name of the product the words "artificially flavored", and the ingredient statement shall identify it as an artificial flavoring.

(d) When an antioxidant is added to product as permitted under Parts 301 through 329 of this subchapter there shall appear on the label in prominent letters and contiguous to the name of product, a statement showing that fact and the purpose for which it is added, such as, "oxygen interceptor added to improve stability", except as otherwise provided in Part 328 of this subchapter.

(e) Containers of meat packed in borax or other preservative for export to a foreign country which permits the use of such preservative shall, at the time of packing, be marked "for export", followed on the next line by the words "packed in preservative", or such equivalent statement as may be approved for this purpose by the Director of Division, and directly beneath this there shall appear the word "establishment" or abbreviation thereof, followed by the number of the establishment at which the product is packed. The complete statement shall be applied in a conspicuous location and in letters not less than 1 inch in height.

(f) When product is treated with ionizing radiation, a term approved by the Director such as "Processed by Ionizing Radiation" shall appear on the principal display panel in conjunction with the product name.

§317.10 Reuse of inspection marks; reuse of containers bearing marks of inspection, labels, etc.; requirements regarding. (a) No inspection legend which has been previously used shall be used again for the identification of any product, except as provided for in paragraph (b) of this section.

(b) All stencils, marks, labels, or other devices on previously used containers, whether relating to any product or otherwise, shall be removed or obliterated before such containers are used for any product, unless such stencils, marks, labels, or devices correctly indicate the article to be packed therein and such containers are refilled under the supervision of a Division employee.

§317.11 Labeling, filling of containers, handling of labeled products to be only in compliance with regulations. (a) All labeling of product required to be inspected

by Division employees shall be in compliance with the regulations in Parts 301 through 329 of this subchapter.

(b) No person shall apply or affix, or cause to be applied or affixed, any label to any product prepared or received in an official establishment, or to any container thereof, except in compliance with the regulations in Parts 301 through 329 of this subchapter.

(c) No person shall, in an official establishment, fill or cause to be filled, in whole or part, any container with any product required by the regulations in Parts 301 through 329 of this subchapter to bear a label, except in compliance with the regulations in Parts 301 through 329 of this subchapter.

(d) No person shall remove or cause to be removed from an official establishment any product bearing a label unless such label be in compliance with the regulations in Parts 301 through 329 of this subchapter.

§ 317.12 Relabeling product, requirements regarding.

When it is claimed by an official establishment that some of its labeled product which has been transported to a location other than an official establishment, is in need of relabeling on account of the labels having become mutilated or otherwise damaged, the requests for relabeling the product shall be sent to the Director of Division and accompanied with a statement of the reasons therefor. Labeling material intended for relabeling inspected and passed product shall not be transported from an official establishment until permission has been received from the Director of Division. The relabeling of inspected and passed product with official labels shall be done under the supervision of an inspector of the Division. The establishment shall reimburse the Division, in accordance with regulations of the United States Department of Agriculture, for any cost involved in supervising the relabeling of such product.

§ 317.13 Distribution of labels bearing an inspection legend. Labels, wrappers, and cartons bearing an inspection legend with or without the establishment number may be transported from one official establishment to another provided such shipments are made with the permission and under the supervision of the inspector in charge at the station of origin, who will notify the inspector in charge at destination concerning the date of shipment of the labeling material and the character and quantity of the

materials involved. No such material shall be used at the establishment to which it is shipped unless it conforms with the requirements of Parts 301 through 329 of this subchapter.

§ 317.14 Rescindment of label approvals. Once a year, or oftener if necessary, each official establishment should submit to the Director of Division, in quadruplicate, a list of approvals for labels that have become obsolete, accompanied with a statement that such approvals are no longer desired. The approvals shall be identified by the number, the date of approval, and the name of product or other designation showing the class of material.



PART 318—REINSPECTION AND PREPARATION OF PRODUCTS**Sec.**

- 318.1 Reinspection of products; frozen products.
- 318.2 Tagging products "U.S. retained" on reinspection; disposition thereof.
- 318.3 Unsound product bearing inspection mark found outside of official establishments.
- 318.4 Products and chemical preparations entering official establishments; identification; disposition; shipping in commerce.
- 318.5 Designation of places of receipt of returned products for reinspection.
- 318.6 Processes to be supervised; containers, equipment, processes of manufacture to be clean and sanitary; substances to be clean and wholesome.
- 318.7 Approval of substances for use in the preparation of meat food products.
- 318.8 Preservatives and other substances permitted in product for export only; handling; such product not to be used for domestic food purposes.
- 318.9 Samples of products, water, dyes, chemicals, etc., to be taken for examination.
- 318.10 Prescribed treatment of pork and product containing pork to destroy trichinae.
- 318.11 Canning with heat processing and hermetically sealed containers; cleaning containers; closure; code marking; heat processing; incubation.
- 318.12 Preparation of dog food or similar uninspected article at official establishment; edible products department; inedible products department, denaturing.
- 318.13 Mixtures containing product but not amenable to Meat Inspection Act.
- 318.14 Contamination of product by flood water, etc.; procedure for handling.
- 318.15 Glands and organs for use in preparing pharmaceutical, organotherapeutic, or technical products.
- 318.16 Tagging chemicals, preservatives, cereals, spices, etc., "U.S. retained."
- 318.17 Product for educational uses, laboratory examination; and other purposes.
- 318.18 Pesticide residues and other biological residues in meat food products.
- 318.19 Gamma radiation for treatment of product.

§ 318.1 Reinspection of products; frozen products. (a)

All products, whether fresh, cured, or otherwise prepared, even though previously inspected and passed, shall be reinspected by Division employees as often as may be necessary in order to ascertain whether they are sound, healthful, wholesome, and fit for human food at the time they leave official establishments. If upon reinspection any article is found to have become unsound, unhealthful, unwholesome,

or in any way unfit for human food, the original mark, stamp, or label thereon shall be removed or defaced and the article condemned: *Provided, That:*

(1) If an article becomes soiled or unclean by falling on the floor or in any other accidental way, it may be cleaned (including trimming, if necessary) and presented for reinspection.

(2) When an article is found to be affected by any unsound or unwholesome condition designated by the Director of Division as being capable of rehandling by approved methods for food purposes, the official establishment may be permitted to rehandle if necessary steps are immediately taken in a manner prescribed by him. Included are such conditions as articles found to have absorbed a foreign odor, to contain mold or similar substance, and rendered animal fats in which there is present tank water in first stages of sourness. If upon final inspection the article is found to be sound and wholesome it shall be passed for human food; otherwise it shall be condemned.

(b) Care shall be taken to see that product is in good condition when placed in freezers. If there is doubt as to the soundness of any frozen product, the inspector will require the defrosting and reinspection of a sufficient quantity thereof to determine its actual condition.

(1) Product, such as pork tenderloins, brains, sweetbreads, stews, chop suey, etc., shall not be packed in hermetically sealed metal or glass containers, unless subsequently heat processed or otherwise treated to preserve the product in a manner approved by the Director of Division.

(2) Frozen product may be defrosted in water or pickle in a manner and with the use of facilities which are acceptable to the inspector in charge. Before such product is defrosted, a careful examination shall be made to determine its condition. If necessary, this examination shall include defrosting of representative samples by means other than in water or pickle.

(c) Attention should be given particularly to the first draw-off from the bottoms of tank cars where a tank-water-sour condition is sometimes found.

§ 318.2 Tagging products "U.S. retained" on reinspection; disposition thereof. A "U.S. retained" tag shall be placed by a Division employee at the time of reinspection on all products or the containers thereof which are suspected

on reinspection at an official establishment or in the possession of such establishment of being unsound, unhealthful, unwholesome, or in any way unfit for human food. The employee who affixes the tag shall record the tag number and the kind and amount of the article retained. Such tag shall accompany such article to the retaining-room or other special place for final inspection. When the final inspection is made, if the article is condemned, the original mark, stamp, or label thereon shall be removed or defaced and the inspector shall stamp on or write across the face of the retained tag the phrase "U.S. inspected and condemned," and this tag shall accompany such article into the tank. The inspector shall make a complete record of the transaction and shall report his action to the inspector in charge. If, however, upon final inspection the article is passed for food, the inspector shall remove the retained tag, record the transaction, and report his action to the inspector in charge.

§ 318.3 Unsound product bearing inspection mark found outside of official establishments. Division employees shall inform local representatives of the Food and Drug Administration, or responsible state or municipal officials, and report to the Director of Division regarding any product which bears, or the container of which bears, the inspection legend, discovered by them outside of official establishments, and which is unsound, unhealthful, unwholesome, or in any way unfit for human food.

§ 318.4 Products and chemical preparations entering official establishments; identification; disposition; shipping in commerce. (a) Except as provided in Part 312 of this subchapter, no product shall be brought into an official establishment unless it has been previously inspected and passed by a Division employee, nor unless it can be identified by marks, seals, brands, or labels as having been so inspected and passed, nor, except as provided in Part 327 of this subchapter, if it has been processed elsewhere than in an official establishment. All products brought into an official establishment in compliance with the regulations in Parts 301 through 329 of this subchapter shall be identified and re-inspected at the time of receipt and be subjected to further reinspection in such manner and at such times as may be deemed necessary. If upon such reinspection any article is found to be unsound, unhealthful, unwholesome, or other-

wise unfit for human food, the original mark, stamp, or label shall be removed or defaced and the article condemned.

(b) Any product which has been inspected and passed under the regulations in Parts 301 through 329 of this subchapter and which bears the inspection legend may be shipped in interstate or foreign commerce, provided it is sound, healthful, wholesome, and fit for human food and has not been processed, reprocessed, or changed elsewhere than in an official establishment in any manner so as to alter the character of the product.

(c) Containers of preparations which enter any official establishment for use in cooling or retort water, in hog scalding water or in denuding of tripe shall at all times while they are in such establishment bear labels showing the chemical names of the chemicals in such preparations. In the case of preparations containing chemicals which are specifically limited by § 318.7(b)(4) as to amount used, the labels on the containers shall also show the percentage of each such chemical in the preparation.

(d) All isolated soy protein used in products processed in official establishments must contain not more and not less than 0.1 percent titanium incorporated as food grade titanium dioxide, and the presence of such substance must be shown on the label of the container of the isolated soy protein.

§ 318.5 Designation of places of receipt of returned products for reinspection. Every official establishment shall designate, with the approval of the inspector in charge, a dock or place at which returned products shall be received, and such products shall be received only at such dock or place and shall be inspected there by a Division employee before further entering the establishment.

§ 318.6 Processes to be supervised; containers, equipment, processes of manufacture to be clean and sanitary; substances to be clean and wholesome. (a) All processes used in curing, pickling, rendering, canning, or otherwise preparing any product in official establishments shall be supervised by Division employees. No fixtures or appliances, such as tables, trucks, trays, tanks, vats, machines, implements, cans, or containers of any kind, shall be used unless they are of such materials and construction as will not contaminate the product and are clean and sanitary. All steps in the processes of manufacture shall be conducted carefully and with strict cleanliness in rooms or compartments separate from those used for inedible products.

(1) All containers which are intended to be hermetically sealed shall be washed as required under § 318.11 immediately before filling, except that the hermetically sealed cans in which lard is shipped may be examined immediately before being filled and if found to be acceptably clean, need not be washed.

(2) Pumps, pipes, conductors, and fittings used to conduct milk, skim milk, cream, or mixtures of these in the manufacture of oleomargarine shall be of sanitary construction, with smooth inner and outer surfaces of noncorrosive material or coated with nickel, tin, or other approved material, readily demountable for cleaning, and shall be kept clean and sanitary.

(3) Equipment may be used interchangeably for the preparation of lard and rendered pork fat which are to be labeled as such. The Director of Division may grant permission for the restricted dual use of such equipment for the preparation of other products. The pipes and equipment used for edible fats shall be so arranged that the identity of the product will be maintained until the product is properly labeled.

(4) The only animal casings that may be used as containers of product are those from cattle, sheep, swine, or goats.

(5) Casings for products shall be carefully inspected by Division employees. Only those casings which have been carefully washed and thoroughly flushed with clean water immediately before stuffing, are suitable for containers, are clean, and are passed on such inspection shall be used, except that preflushed animal casings packed in salt or salt and glycerine solution or other approved medium may be used without additional flushing provided they are found to be clean and otherwise acceptable and are thoroughly rinsed before use.

(6) Beef rounds, beef bungs, beef middles, beef bladders, calf rounds, hog bungs, hog middles, and hog stomachs which are to be used as containers of meat food product shall be presented for inspection turned with the fat surface exposed.

(7) Portions of casings which show infestation with *Oesophagostomum* or other nodule-producing parasite and weasands infested with the larvae of *Hypoderma lineatum*, shall be rejected, except that when the infestation is slight and the nodules and larvae are removed, the casing or weasand may be passed.

(8) The fermenting of intestines is not permitted in official establishments. The stripping and sliming of intestines shall be performed in a clean manner.

(9) Hog and sheep casings intended for use as containers of product may be treated by soaking in or applying thereto sound, fresh pineapple juice or a sound solution containing fresh pineapple juice or papain or bromelin or pancreatic extract to permit the enzymes contained in these substances to act on the casings to make them less resistant. The casings shall be handled in a clean and sanitary manner throughout and the treatment shall be followed by washing and flushing the casings with water sufficiently to effectively remove the substance used and terminate the enzymatic action.

(b) All substances and ingredients used in the manufacture or preparation of any product shall be clean, sound, healthful, wholesome, and otherwise fit for human food.

(1) On account of the invariable presence of bone splinters, detached spinal cords shall not be used in the preparation of edible product other than for rendering where they constitute a suitable raw material.

(2) Care shall be taken to remove bones and parts of bones from product which is intended for chopping.

(3) Heads for use in the preparation of meat food products shall be split and the bodies of the teeth, the turbinated and ethmoid bones, ear tubes, and horn butts removed, and the heads then thoroughly cleaned.

(4) Kidneys for use in the preparation of meat food products shall first be freely sectioned and then thoroughly soaked and washed. All detached kidneys, including beef kidneys detached with kidney fat, shall be inspected before being used in or shipped from the establishment.

(5) Testicles if handled as an edible product may be shipped from the establishment as such, but they shall not be used as an ingredient of a meat food product.

(6) Cattle paunches and hog stomachs for use in the preparation of meat food products shall be thoroughly cleaned on all surfaces and parts immediately after being emptied of their contents, which shall follow promptly their removal from the carcasses.

(7) Tonsils shall be removed and shall not be used as ingredients of meat food products.

(8) Hog blood shall not be used as an ingredient of meat food product. No blood which comes in contact with the surface of the body of an animal or is otherwise contaminated shall be collected for food purposes. Only blood from animals the carcasses of which are inspected and passed may be used for meat food products. The defibrination of blood intended for food purposes shall not be performed with the hands.

(9) No prohibited dye, chemical, preservative, or other substance shall be brought into or kept in an official establishment for use as an ingredient of human food or animal feed.

(10) Intestines shall not be used as ingredients of meat food products.

(11) Clotted blood shall be removed from hog hearts

Tocopherols	do	do	0.03 %—A 30 percent concentration of tocopherols in vegetable oils shall be used when added as an antioxidant to products designated as "lard" or "rendered pork fat."
BHA (butylated hydroxyanisole).	To retard rancidity.	Frozen fresh pork sausage.	0.01 percent based on fat content.
BHT (butylated hydroxytoluene).	do	do	0.01 percent based on fat content.
Propyl gallate	do	do	0.02 percent in combination based on fat content.
Nordihydroguaiaric acid (NDGA).	do	do	0.01 percent based on fat content.

Class of substance	Substance	Purpose	Products	Amount
	BHA (butylated hydroxyanisole).	do.-----	Freeze dried meats--	0.01 per-cent based on total weight.
	BHT (butylated hydroxytoluene).	do.-----	do.-----	0.01 per-cent based on total weight.
	Propyl gallate-----	do.-----	do.-----	0.01 per-cent based on total weight.
	Nordihydroguai-aretic acid (NDGA).	do.-----	do.-----	0.01 per-cent based on total weight.
Bleaching agent--	Hydrogen peroxide--	To remove color---	Tripe (substance must be removed from product by rinsing with clear water).	0.01 per-cent based on total weight. Sufficient for purpose.

Catalysts (substances must be eliminated during processing).	Nickel----- Sodium amide----- Sodium methoxide-----	To accelerate chemical reaction. Rearrangement of fatty acid radicals. do-----	Rendered animal fats or a combination of such fats and vegetable fats. do----- do-----	Do. Do.
Coloring agents (natural).	Alkanet, annatto, carotene, cochineal, green chlorophyl, saffron and turmeric.	To color casings or rendered fats; marking and branding product.	Sausage casings, oleomargarine, shortening, marking or branding ink on product.	Sufficient for purpose (may be mixed with approved synthetic dyes or harmless inert material such as common salt and sugar).
Coloring agents (synthetic).	Coal tar dyes (FD&C) must furnish evidence to inspector in charge that dye has been certified for use in connection with foods by Food and Drug Administration.	To color casings or rendered fats; marking and branding product.	Sausage casings, oleomargarine, shortening, marking or branding ink on product.	Sufficient for purpose (may be mixed with approved natural coloring matters or harmless inert material such as common salt or sugar).

Class of substance	Substance	Purpose	Products	Amount
Cooling and retort water treatment agents.	Disodium phosphate.	To prevent staining on exterior of canned goods.	Various	Sufficient for purpose.
	Diethyl sodium sulfosuccinate.	do.	do.	0.05 percent.
	Sodium bicarbonate.	do.	do.	Sufficient for purpose.
	Sodium carbonate.	do.	do.	Do.
	Calcium chloride.	do.	do.	Do.
	Sodium dodecylbenzene sulfonate.	do.	do.	0.05 percent.
	Sodium hexametaphosphate.	do.	do.	Sufficient for purpose.
	Sodium lauryl sulfate.	do.	do.	0.05 percent.
	Sodium metasilicate.	do.	do.	Sufficient for purpose.
	Sodium tripolyphosphate.	do.	do.	Do.
Curing agents.	Zinc oxide.	do.	do.	0.01 percent.
	Zinc sulfate.	do.	do.	Do.
	Propylene glycol.	do.	do.	Sufficient for purpose.
	Ascorbic acid.	To accelerate color fixing.	Cured pork and beef cuts, cured comminuted meat food product.	75 ozs. to 100 gals. pickle at 10% pump level; ¼ oz. to 100 lbs. meat or meat byproduct; 10% solution to surfaces of cured cuts prior

<p>Erythorbic acid</p> <p>Glucono delta lactone.</p> <p>Sodium ascorbate</p>	<p>do</p> <p>do</p> <p>do</p>	<p>do</p> <p>Cured, comminuted meat or meat food product.</p> <p>Cured pork and beef cuts, cured comminuted meat food product.</p>	<p>to packaging (the use of such solution shall not result in the addition of a significant amount of moisture to the product).</p> <p>Do.</p> <p>8 ozs. to each 100 lbs. of meat or meat byproduct.</p> <p>87.5 ozs. to 100 gals. pickle at 10% pump level; $\frac{7}{8}$ oz. to 100 lbs. meat or meat byproduct; 10% solution to surfaces of cured cuts prior to packaging (the use of such solution shall not result in the addition of a significant amount of moisture to the product).</p>
<p>Sodium erythorbate</p> <p>Citric acid or sodium citrate.</p>	<p>do</p> <p>do</p>	<p>do</p> <p>do</p>	<p>Do.</p> <p>May be used in cured products to replace up to 50% of the ascorbic acid, erythorbic acid, sodium ascorbate, or sodium erythorbate that is used.</p>

Class of substance	Substance	Purpose	Products	Amount
Curing agents— Continued	Sodium or potassium nitrate.	Source of nitrite---	Cured products-----	7 lbs. to 100 gals. pickle; $3\frac{1}{2}$ ozs. to 100 lbs. meat (dry cure); $2\frac{3}{4}$ ozs. to 100 lbs. chopped meat.
	Sodium or potassium nitrite (supplies of sodium nitrite and potassium nitrite and mixtures containing them must be kept securely under the care of a responsible employee of the establishment. The specific nitrite content of such supplies must be known and clearly marked accordingly).	To fix color-----	Cured products-----	2 lbs. to 100 gals. pickle at 10% pump level; 1 oz. to 100 lbs. meat (dry cure), $\frac{1}{4}$ oz. to 100 lbs. chopped meat and/or meat byproduct. The use of nitrites, nitrates or combination shall not result in more than 200 ppm. nitrite in finished product.

Denuding agents; may be used in combination. Must be removed from tripe by rinsing with potable water.	Lime-----	To denude mucous membrane.	Tripe-----	Sufficient for purpose.
Emulsifying agents.	Sodium carbonate-----	do-----	do-----	Do.
	Sodium hydroxide-----	do-----	do-----	Do.
	Sodium metasilicate-----	do-----	do-----	Do.
	Sodium persulfate-----	do-----	do-----	Do.
	Trisodium phosphate.	do-----	do-----	Do.
	Acetylated mono-glycerides.	To emulsify product.	Shortening-----	Do.
	Diacetyl tartaric acid esters of mono and diglycerides.	do-----	Rendered animal fat or a combination of such fat with vegetable fat.	Do.
	Glycerol-lactostearate, oleate, or palmitate.	do-----	Rendered animal fat or a combination of such fat with vegetable fat.	Do.
	Lecithin-----	To emulsify product (also as antioxidant).	Oleomargarine, shortening.	Do.
	Mono and diglycerides (glycerol palmitate etc.).	To emulsify product.	Rendered animal fat or a combination of such fat with vegetable fat.	Sufficient for purpose in lard and shortening; 0.5% in oleomargarine.

Class of substance	Substance	Purpose	Products	Amount
Emulsifying agents— Continued	Polyglycerol esters of fatty acids (Polyglycerol esters of fatty acids are restricted to those up to and including the decaglycerol esters and otherwise meeting the requirements of section 121.1120(a) of the Food Additive Regulations).	-----do-----	Rendered animal fat or a combination of such fat with vegetable fat when use is not precluded by standards of identity.	Sufficient for purpose.
	Polysorbate 80 (polyoxyethylene (20) sorbitan monooleate).	-----do-----	Shortenings that are sold in units not exceeding 6 lbs. or 1 gal. fluid content.	1% when used alone. If used with polysorbate 60 or sorbitan monooleate the combined total shall not exceed 1%. Sufficient for purpose.
	Propylene glycol mono and diesters of fats and fatty acids.	To emulsify product.	Rendered animal fat or a combination of such fat with vegetable fat.	

Emulsifying agents— Continued	Polysorbate 60 (polyoxyethylene (20) sorbitan monostearate).	do-----	Shortenings that are sold in units not exceeding 6 lbs. or 1 gal. fluid content.	1% when used alone. If used with poly- sorbate 80 or sorbi- tan monostearate the combined total shall not exceed 1%.
	Stearyl-2-lactylic acid.	do-----	Shortening—to be used for cake icings, and fillings.	3.0%.
	Stearyl monoglyc- eridyl citrate.	do-----	Shortening-----	Sufficient for purpose.
	Sorbitan mono- stearate.	do-----	Shortenings that are sold in units not exceeding 6 lbs. or 1 gal. fluid content.	1% when used alone. If used with poly- sorbate 60 or poly- sorbate 80 the com- bined total shall not exceed 1%.
Binders-----	Algin-----	To extend and stabilize product.	Breading mix; sauces.	Sufficient for purpose.
	Carrageenan-----	do-----	do-----	Do.
	Carboxymethyl cellulose (cellulose gum).	do-----	Baked pies-----	Do.
	Gums, vegetable-----	do-----	Egg roll-----	Do.
	Methyl cellulose-----	To extend and to stabilize product (also carrier).	Meat and vegetable patties.	0.15%.
	Isolated soy protein	To bind and ex- tend product.	Imitation sausage; nonspecific loaves; soups; stews.	Sufficient for purpose.
	Sodium caseinate-----	do-----	do-----	Do.
	Whey (dried)-----	do-----	do-----	Do.

Class of substance	Substance	Purpose	Products	Amount
Flavoring agents; protectors and developers.	Approved artificial smoke flavoring.	To flavor product	Various	Do.
	Approved smoke flavoring.	do	do	Do.
	Autolyzed yeast extract.	do	do	Do.
	Harmless bacterial starters of the acidophilus type, lactic acid starter, or culture of <i>Pediococcus cerevisiae</i> .	To develop flavor	Dry sausage, pork roll, thuringer, lebanon bologna, cervelat, salami, and pork roll.	0.5%.
	Benzoic acid, sodium benzoate.	To retard flavor reversion.	Oleomargarine	0.1%.
	Citric acid	To protect flavor	do	Sufficient for purpose.
	do	Flavoring	Chili con carne	Do.
	Corn syrup solids, corn syrup, glucose syrup.	To flavor	Sausage, hamburger, meat loaf, luncheon meat, chopped or pressed ham.	2.0% individually or collectively, calculated on a dry basis.
	Dextrose	To flavor product	Sausage, ham, and cured products.	Sufficient for purpose.
	Diacytl	do	Oleomargarine	Do.
	Hydrolyzed plant protein.	To flavor product	Various	Sufficient for purpose.
	Isopropyl citrate	To protect flavor	Oleomargarine	0.02%.
	Malt syrup	To flavor product	Cured products	2.5%.

Gases-----	Milk protein hydrolysate.	do-----	Various-----	Sufficient for purpose.	
	Monosodium glutamate.	do-----	do-----	Do.	
	Sodium sulfoacetate derivative of mono- and diglycerides.	do-----	do-----	0.5%.	
	Starter distillate.	do-----	Oleomargarine-----	Sufficient for purpose.	
	Stearyl citrate-----	To protect flavor-----	do-----	0.15%.	
	Sugars, approved (sucrose and dextrose).	To flavor product-----	Sausage, ham, and miscellaneous.	Sufficient for purpose.	
	Carbon dioxide solid (dry ice).	To cool product-----	Chopping of meat, packaging of product.	Do.	
	Hog scald agents; must be removed by subsequent cleaning operations.	Nitrogen-----	To exclude oxygen-----	Sealed containers-----	Do.
		Caustic soda-----	To remove hair-----	Hog carcasses-----	Sufficient for purpose.
		Dioctyl sodium sulfosuccinate.	do-----	do-----	Do.
Lime-----		do-----	do-----	Do.	
Methyl polysilicone-----		do-----	do-----	Do.	
Sodium carbonate-----		do-----	do-----	Do.	
Sodium dodecylbenzene sulfonate.		do-----	do-----	Do.	
Sodium hexameta-phosphate.		do-----	do-----	Do.	
Sodium lauryl sulfate-----		do-----	do-----	Do.	
Sodium metasilicate-----		do-----	do-----	Do.	
Sodium tripolyphosphate.	do-----	do-----	Do.		
Trisodium phosphate-----	do-----	do-----	Do.		

Class of substance	Substance	Purpose	Products	Amount
Miscellaneous---	Sodium bicarbonate--	To neutralize excess acidity, cleaning vegetable tables.	Rendered fats, soups, curing pickle.	Do.
	Calcium propionate--	To retard mold growth.	Pizza crust-----	0.32 percent alone or in combination based on weight of the flour used.
	Sodium propionate--	do-----	do-----	

and such removal shall be only by a Division employee after a finding that the substance can be accepted, or, in the case of an unacceptable substance, when it is removed from the establishment.

§ 318.17 Product for educational uses, laboratory examination, and other purposes. When authorized by the Director of Division, product of special type or kind may be shipped or transported from official establishments for educational uses, laboratory examination, and other purposes.

§ 318.18 Pesticide residues and other biological residues in meat food products. (a) *Nonmeat ingredients.* Residues of pesticides in or on ingredients other than meat used in the formulation of meat food products shall not be such as to make the meat food products unwholesome or otherwise unfit for human food and shall not exceed levels permitted under Federal law applicable to such ingredients.

(b) *Meat food products.* Finished meat food products shall not bear or contain residues of pesticides or other biological residues that make the products unwholesome or otherwise unfit for human food.

(c) *Standards and procedures.* Instructions specifying the standards and procedures for determining when ingredients or finished meat food products are in compliance with this section shall be issued to the inspectors by the Director of Division. Copies of such instructions will be made available to interested persons upon request made to the Director.

§ 318.19 Gamma radiation for treatment of product. With appropriate declaration as required in Part 317 of this subchapter, canned bacon may be treated with gamma radiation for purposes of preservation under the following conditions:

(a) The radiation source shall consist of sealed units containing cesium 137 or cobalt 60.

(b) The bacon shall be in cans coated with acceptable polymeric and/or resinous coatings and shall be under vacuum or in an inert atmosphere and the absorbed dose shall be 4.5 to 5.6 megarads.

(c) A record of total dose shall be obtained by phantoms having the same geometry as the containers of bacon and containing dosimeters suitable for the maintenance of permanent records of exposure. Measurement of total dose shall be made by the use of one phantom for each 24-hour period of operation or for each period that expires in processing

1,000 cans, whichever is the shorter period, with exposure records being made available for Division checking.

PART 320—REPORTS

Sec.

320.1 Inspection reports.

320.2 Daily reports.

320.3 Establishments to furnish information for reports.

320.4 Reports on sanitation.

§ 320.1 Inspection reports. Reports of the work of inspection carried on in every official establishment and elsewhere shall be forwarded to the Division by the inspector in charge, on such forms and in such manner as may be specified by the Director of Division.

§ 320.2 Daily reports. Division employees shall make daily reports of the amounts of articles handled or prepared in the subdivisions of the establishments to which they are assigned and of such other things as the Director of Division or inspector in charge may require.

§ 320.3 Establishments to furnish information for reports. Each official establishment shall furnish to Division employees accurate information as to all matters needed by them for making their reports pursuant to § 320.2.

§ 320.4 Reports on sanitation. Reports on sanitation shall be made by the Division employees assigned to the various subdivisions of official establishments to the inspector in charge, and by the inspector in charge to the Director of Division or to the person designated by him.

PART 321—APPEALS

§ 321.1 Appeals from meat inspection actions. Any appeal from a decision of an employee of the Division shall be made to his immediate superior having jurisdiction over the subject matter of the appeal.

PART 322—COOPERATION WITH LOCAL AUTHORITIES

Sec.

322.1 Inspectors in charge to cooperate with Federal, State, and other local authorities.

322.2 Definite cooperative arrangements to be approved by the Division.

§ 322.1 Inspectors in charge to cooperate with Federal, State, and other local authorities. Inspectors in charge shall confer with Federal, State, municipal and other local officials at their stations and inform them of the Federal meat-inspection service, what the Division is accomplishing

in that particular locality, and, in turn, ascertain what is being done by the local officials.

§ 322.2 Definite cooperative arrangements to be approved by the Division. If it be proposed to adopt a definite cooperative arrangement, the details thereof shall be submitted to and approved by the Director of Division before it is put into effect.

PART 323—BRIBERY, COUNTERFEITING, ETC.

Sec.

323.1 Bribes.

323.2 Inspection marks, etc.; forging, counterfeiting, etc.; improper use and handling.

§ 323.1 Bribes. (a) It is a felony, punishable by fine and imprisonment, for any person, firm, or corporation, or any agent or employee thereof, to give, pay, or offer, directly or indirectly, to any Division employee authorized to perform any duty prescribed by the Meat Inspection Act or the regulations in Parts 301 through 329 of this subchapter, any money or other thing of value with intent to influence such employee in the discharge of his duty. It is also a felony, punishable by discharge from office and by fine and imprisonment, for any Division employee engaged in the performance of any duty prescribed by the Meat Inspection Act or the regulations in Parts 301 through 329 of this subchapter to accept from any person, firm, or corporation, or from any agent or employee of such person, firm, or corporation, any gift, money, or other thing of value given with intent to influence his official action, or to receive or accept from any person, firm, or corporation engaged in interstate or foreign commerce any gift, money, or any other thing of value given for any purpose or intent whatsoever.

§ 323.2 Inspection marks, etc.; forging, counterfeiting, etc.; improper use and handling. It is a misdemeanor, punishable by fine and imprisonment, for any person, firm, or corporation, or officer, agent, or employee thereof, to forge, counterfeit, simulate, or falsely represent, or without proper authority to use, fail to use, or detach, or knowingly or wrongfully to alter, deface, or destroy, or to fail to deface or destroy, any of the marks, stamps, tags, labels, or other identification devices provided for in the Meat Inspection Act or in and as directed by the regulations in Parts 301 through 329 of this subchapter, on any carcass, part of carcass or the product or containers thereof, subject to the provisions of the Meat Inspection Act, or any certificate in relation thereto authorized or required in the Meat Inspection Act or as directed in the regulations in Parts 301 through 329 of this subchapter.

PART 324—EXPORT STAMPS AND CERTIFICATES¹

Sec.

- 324.1 Manner of affixing stamps and marking product for export.
324.2 Export stamps and certificates: instructions concerning issuance.
324.3 Export transportation without certificate prohibited.
324.4 Uninspected tallow, stearin, oleo oil, etc.; not to be exported unless exporter certifies as inedible.
324.5 Product packed with preservative for export; required stamps and certificates; affixing and removal of stamps.

§ 324.1 Manner of affixing stamps and marking product for export. (a) A numbered meat-inspection stamp shall be affixed to each outside container (except cloth wrappings) of any inspected and passed product for export except ship stores and small quantities exclusively for the personal use of the consignee and not for sale or distribution. So far as possible stamps shall be issued serially.

(b) Such stamps shall be securely affixed, and if the container be of wood the stamps shall be placed either (1) in a grooved space made by removing a portion of the wood of sufficient size to admit the stamp, (2) on either end of the package, provided that the sides thereof are made to project at least one-eighth of an inch to afford the necessary protection from abrasion, or (3) in some other equally satisfactory manner acceptable to the inspector in charge.

(c) The cloth wrapping used as an outside container of any inspected and passed product for export shall bear the inspection legend and the establishment number applied by the 2½-inch rubber brand or a numbered export meat inspection stamp as may be required by the foreign country to which the product is being exported.

(d) A numbered meat-inspection stamp shall be affixed to each tank car of inspected and passed lard or similar edible product, and to each door of each railroad car or other closed vehicle containing inspected and passed loose product shipped direct to a foreign country.

§ 324.2 Export stamps and certificates; instructions concerning issuance. (a) Upon application of the exporter,

¹ Attention is directed to the requirements of Part 325, of this subchapter, governing transportation, and to the requirements of § 318.8 of this subchapter that products prepared under that section for export be destroyed for food purposes before being sold or offered for sale for domestic use.

- 327.10 Import product; equipment of conveyances used in handling to be maintained in sanitary condition.
- 327.11 Burlap wrapping for foreign meat.
- 327.12 Product imported; samples; inspection of consignment; refusal of entry; marking.
- 327.13 Receipts to importers for import meat samples.
- 327.14 Foreign canned and packaged meat and meat food product, bearing trade labels; sampling and inspection.
- 327.15 Foreign product offered for importation; reporting of findings to customs; handling and marking of articles refused entry; marking carcasses and parts.
- 327.16 Marking and labeling of product for importation; application of inspection legend.
- 327.17 Outside containers of foreign products; marking and labeling.
- 327.18 Small importations for consignee's personal use; requirements.
- 327.19 Returned United States inspected and marked products; not importations.
- 327.20 Imported product to be handled and transported as domestic; entry into official establishments; transportation.
- 327.21 Specimens for laboratory examination and similar purposes.

§ 327.1 Application. This part shall apply only to product derived from cattle, sheep, swine, and goats. The term United States, as used, includes Alaska, Hawaii, and Puerto Rico.

§ 327.2 Eligibility of foreign countries for importation of product into the United States. (a) Whenever it shall be determined by the Administrator that the system of meat inspection maintained by any foreign country is the substantial equivalent of, or is as efficient as, the system established and maintained by the United States and that reliance can be placed upon certificates required under this part from authorities of such foreign country, notice of that fact will be given by including the name of such foreign country in paragraph (b) of this section, and thereafter product prepared in establishments in such foreign country, which are approved in accordance with subparagraph (2) of this paragraph, shall be eligible for importation into the United States from such foreign country after applicable requirements of Parts 301 through 329 of this subchapter have been met.

(1) The determination of acceptability of a foreign meat inspection system shall be based on an evaluation of the foreign program in accordance with the following requirements and procedures:

(i) The system shall have a program organized and administered by the national government making the request for eligibility;

(ii) The legal authority for the system and regulations thereunder shall make adequate requirements with respect to:

(a) Veterinary ante-mortem inspection of animals for slaughter;

(b) Veterinary post-mortem inspection of carcasses at time of slaughter;

(c) Controls over establishment facilities;

(d) Requirements for sanitary handling of product;

(e) Supervision of all operations to assure wholesomeness of product and freedom from adulteration;

(f) Other matters as provided in applicable Parts 301 through 329 of this subchapter.

(iii) A review of the foreign meat inspection system in operation shall be made at stated times by an official representative of the Department after the system has been found to meet the requirements of subdivisions (i) and (ii) of this subparagraph.

(2) Official establishments operating under the foreign system will be approved for purposes of this section if they are determined and certified to the Department, by a responsible official of the foreign meat inspection organization, as fully meeting the requirements specified in subparagraphs (1) (i) and (ii) of this paragraph, but subject to review by the Department (including observation of the establishments by Division representatives at stated times).

Product from foreign countries not listed in paragraph (b) of this section is not eligible for importation into the United States, except as provided by § 327.18. The listing of any foreign country under this section may be withdrawn whenever it shall be determined by the Administrator that the system of meat inspection maintained by such foreign country is not the substantial equivalent of, or is not so efficient as, the system established and maintained by the United States, or that reliance cannot be placed upon certificates required under this part from authorities of such foreign country; or that, for lack of current information concerning the system of meat inspection being maintained by such foreign country or for any other reason, such foreign country should reestablish its eligibility for listing.

when special circumstances provide for other equally adequate controls.

(c) No person shall remove or cause to be removed from any place designated as a place of inspection by, or in accordance with, Parts 301 through 329 of this subchapter, any product which Parts 301 through 329 require to be marked in any way, unless the product has been clearly and legibly marked in compliance with such requirements.

(d) The marks required by § 327.12 (d) and (e) shall be applied by branding to carcasses and parts of carcasses offered for importation which are unwrapped or not enclosed in a container. Not less than one brand shall be applied to each quarter of a beef carcass.

§ 327.16 Marking and labeling of product for importation; application of inspection legend. (a) Product which is offered for importation, and which is susceptible of marking, shall, whether or not enclosed in an immediate or true container, bear the name of the country of origin, preceded by the words "product of"; the establishment number assigned by the foreign meat inspection authority and certified to the Division; and such other marks and labels as are necessary for compliance with Part 316 of this subchapter. When such marks are imprints of stamps or brands made with branding ink, such ink shall be harmless and shall create permanent imprints. In case the name of the country of origin appears as part of an official mark of the national foreign government and such name is prominently and legibly displayed, the words "product of" may be omitted.

(b) In addition to the marking of product required under paragraph (a) of this section, the immediate or true container of product offered for importation:

(1) Shall, on the principal display panel of such container, bear a label which prominently and informatively displays in English: (i) The true name of the product; (ii) the name of the country of origin, preceded by the words "product of", immediately under the true name of the product; (iii) the word "ingredients" if the product is fabricated from two or more ingredients, followed by an accurate list of all ingredients in the product, except in the case of any product for which a definition and standard of identity has been prescribed in Part 328 of this subchapter, and which conforms to such definition and standard and bears such name and other labeling features as are required by the definition and stand-

ard; (iv) an accurate statement of the quantity of contents, in accordance with § 317.8(d) of this subchapter; (v) the name and place of business of the manufacturer or packer, or the name and place of business of the distributor, qualified by a true and accurate statement which reveals the connection which such distributor has with the product; and (vi) the establishment number assigned by the foreign meat inspection authority and certified to the Division, except that such establishment number may be omitted from a label lithographed directly on a can if said number is lithographed or embossed elsewhere on the can; and

(2) Shall, if such immediate or true container is a sealed metal container, have the establishment number assigned by the foreign meat inspection authority and certified to the Division embossed or lithographed on the sealed metal container, and such establishment number shall not be covered or obscured by any label or other means.

(3) To each immediate or true container of product which has been inspected and passed in compliance with this part and which is removed from an outside container at an official establishment, a sticker bearing an inspection legend and the establishment number shall be securely affixed, before the same shall be allowed to leave the establishment.

§ 327.17 Outside containers of foreign product; marking and labeling. (a) The outside container in which any immediate or true container of foreign product is shipped to the United States shall bear, in English, in a prominent and legible manner, (1) the true name of the product; (2) the name of the country of origin; and (3) the establishment number assigned by the foreign meat inspection authority and certified to the Division.

(b) Stencils, box dies, labels and brands may be used on such immediate containers as tierces, barrels, drums, boxes, crates, and large-size fiberboard containers of foreign products provided the markings made by such devices are appli-

- 329.3 Affections requiring condemnation on ante-mortem or post-mortem inspection; glanders and dourine suspects.
- 329.4 Horse carcasses, meat and meat food products thereof; marking and labeling.
- 329.5 Horse meat or meat food products thereof; domestic meat labels.
- 329.6 Export horse meat and horse-meat products; stamps and certificates.
- 329.7 Horse-meat certificates for Norway.
- 329.8 Certification of horse meat for The Netherlands.
- 329.9 Applicability of meat inspection regulations with respect to domestic horse meat and horse meat food products.
- 329.10 Eligibility of foreign countries and foreign establishments for importation of horsemeat and horsemeat food products into the United States.
- 329.11 Imported horse meat and horse meat food products; foreign certificates required.
- 329.12 Applicability of meat inspection regulations to importation of horse meat and horse meat food products.
- 329.13 Imported horse meat and horse meat food products to be handled and transported as domestic.
- 329.14 Definitions.

§ 329.1 Establishments required to have inspection.

Every establishment in the United States, in which horses are slaughtered for transportation or sale as articles of interstate or foreign commerce, or in which carcasses, parts of carcasses, meat, or meat food products of, or derived from horses are, wholly or in part, canned, cured, smoked, salted, packed, rendered, or otherwise prepared for transportation or sale as articles of interstate or foreign commerce which are capable of being used as food for man, shall have inspection under the provisions of Parts 301 through 329 of this subchapter.

§ 329.2 Slaughter of horses and preparation of meat thereof; separate establishments. The slaughter of horses and the preparation and handling of the meat and meat food products thereof shall be conducted in establishments separate and apart from any establishment in which cattle, sheep, swine, or goats are slaughtered, or the meat or meat food products thereof are prepared or handled.

§ 329.3 Affections requiring condemnation on ante-mortem or post-mortem inspection; glanders and dourine suspects. (a) All horses found upon either ante-mortem or post-mortem inspection or examination to be affected with strangles, purpura hemorrhagica, azoturia, infectious

equine encephalomyelitis, toxic encephalomyelitis (forage poisoning), infectious anemia (swamp fever), dourine, acute influenza, generalized osteoporosis, glanders, farcy, or other malignant disorder, acute inflammatory lameness or extensive fistula, shall be condemned.

(b) Any horse which is suspected on ante-mortem inspection of being infected with glanders shall be tested with mallein; and any horse which on physical examination is suspected of being affected with dourine shall be held for further examination or for such test as the Director of Division may prescribe.

§ 329.4 Horse carcasses, meat and meat food products thereof; marking and labeling. All horse carcasses, parts of carcasses, meat and meat food products thereof shall be conspicuously labeled, marked, branded, or tagged "horse meat" or "horse-meat product." (See illustration.) Only green ink shall be used in branding horse meat and horse-meat product with the mark of inspection.



§ 329.5 Horse meat or meat food products thereof; domestic meat labels. The domestic meat labels for horse meat or meat food products thereof shall be printed with black ink on light green paper of good quality, shall be $2\frac{3}{4}$ by 4 inches in size and shall be in form and substance as illustrated below, except that the name and address of

the establishment, or the name only, may also be printed on the label, at the bottom thereof:

Domestic or Horse-Meat Product	ESTABLISHMENT E-38
	THE HORSE MEAT OR MEAT FOOD PRODUCT THEREOF CONTAINED HEREIN HAS BEEN U. S. INSPECTED AND PASSED BY DEPARTMENT OF AGRICULTURE.

§ 329.6 **Export horse meat and horse-meat products; stamps and certificates.** Numbered stamps and certificates printed on paper light green in color, to be known as export horse-meat stamps and certificates, shall be issued to identify all horse meat and meat food products thereof packed for export. Such stamp or stamps and certificate shall be issued for each consignment of horse meat or meat food products thereof forwarded from the United States.

§ 329.7 **Horse-meat certificates for Norway.** In accordance with the regulations of Norway, export certificates for horse meat or horse-meat products exported from the United States to Norway are required to be visaed by Norwegian consuls in the United States.

§ 329.8 **Certification of horse meat for The Netherlands.** Inspectors will issue Form MI 412-9 for horse meat and horse-meat products destined to The Netherlands, in addition to the export horse-meat certificates.

§ 329.9 **Applicability of meat inspection regulations with respect to domestic horse meat and horse meat food products.** All of the provisions of Parts 301 through 329 of

this subchapter, unless specifically inapplicable, are hereby made applicable to establishments required to have inspection under § 329.1, to such inspection service, and to the transportation from any State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, or to any place under the jurisdiction of the United States, or to any foreign country, of horse meat and horse meat food products, capable of being used as food for man.

§ 329.10 Eligibility of foreign countries and foreign establishments for importation of horsemeat and horsemeat food products into the United States. (a) Whenever it shall be determined by the Administrator, in accordance with subparagraph (1) of this paragraph, that the system of horsemeat inspection maintained by any foreign country is at least the substantial equivalent of the system established and maintained by the United States and that reliance can be placed upon certificates required under this part from authorities of such foreign country, notice of that fact will be given by including the name of such foreign country in paragraph (b) of this section, and thereafter horsemeat and horsemeat food products prepared in establishments, in such foreign country, which are certified in accordance with subparagraph (2) of this paragraph, shall be eligible, so far as the requirements of this subchapter are concerned¹ for importation into the United States from such foreign country after applicable requirements of Parts 301 through 329 of this subchapter have been met. Horsemeat and horsemeat food products from foreign countries not listed in paragraph (b) of this section are not eligible for importation into the United States. The listing of any foreign country under this section may be withdrawn whenever it shall be determined by the Administrator that the system of horsemeat inspection maintained by such foreign country is not at least the substantial equivalent of the system established and maintained by the United States, or that reliance cannot be placed upon certificates required under this part from authorities of such foreign country; or that, for lack of current information concerning the system of horsemeat inspection being maintained by such foreign country or for any other reason, such foreign country should reestablish its eligibility for listing.

¹ Such articles must also comply with applicable requirements of the Animal Health Division of the Agricultural Research Service.

(1) The determination of acceptability of a foreign horsemeat inspection system shall be based on an evaluation of the foreign program in accordance with the following requirements and procedures:

(i) The system shall have a program organized and administered by the national government making the request for eligibility;

(ii) The legal authority for the system and regulations thereunder shall make adequate requirements with respect to:

(a) Veterinary ante-mortem inspection of horses for slaughter;

(b) Veterinary post-mortem inspection of carcasses at time of slaughter;

(c) Controls over establishment facilities;

(d) Requirements for sanitary handling of horsemeat and horsemeat food products;

(e) Supervision of all operations to assure wholesomeness of products and freedom from adulteration;

(f) Other matters as provided in applicable Parts 301 through 329 of this subchapter.

(iii) A review of the foreign horsemeat inspection system in operation shall be made, at times stated by the Director of Division, by an official representative of the Department after the system has been found to meet the requirements of subdivisions (i) and (ii) of this subparagraph.

(2) Official establishments operating under an acceptable foreign system will be eligible for importation of horsemeat and horsemeat food products into the United States under this section if they are determined and certified to the Department by a responsible official of the foreign meat inspection organization as fully meeting the requirements of this section. Such determination shall be subject to review by the Department (including observation of the establishments by Division representatives at times stated by the Director of Division).

(b) It has been determined by the Administrator that the system of horsemeat inspection of each of the following countries complies with the requirements of paragraph (a) of this section:

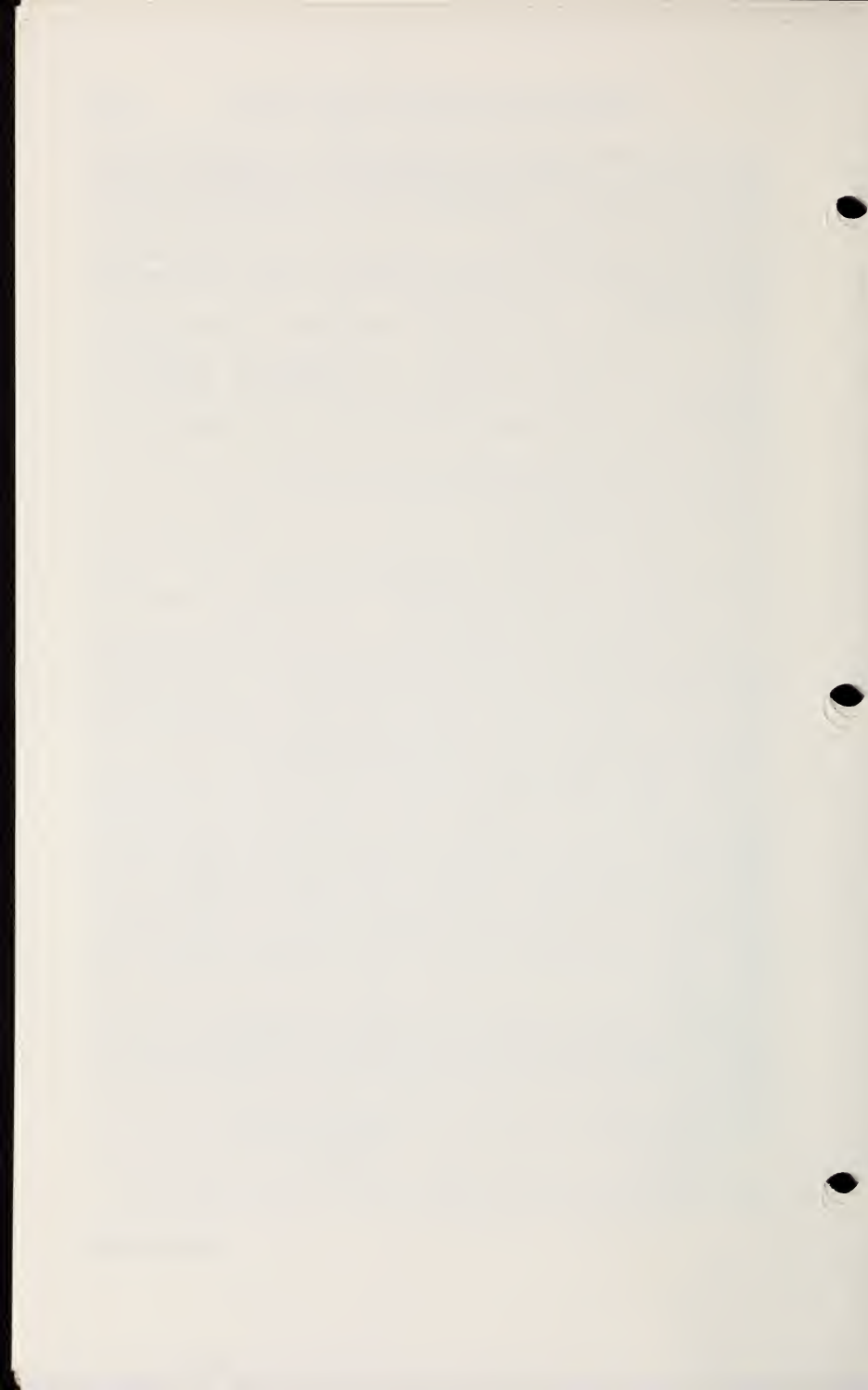
Argentina.

Canada.

Mexico.

New Zealand.

Paraguay.



§ 329.12 Applicability of meat inspection regulations to importation of horse meat and horse meat food products. In addition to other sections of this part which apply to the importation of horse meat and horse meat food products, capable of being used as food for man, § 329.4, all of the provisions of Part 327 of this subchapter (except §§ 327.1, 327.2, 327.6 (a), (f), (g), and (h); 327.18, and 327.20 (a) and (c), and all of the provisions of other parts of this subchapter as specified in said Part 327 which are applicable to horse meat and horse meat food products under § 329.9, are hereby made applicable to the importation of such horse meat and horse meat food products.

§ 329.13 Imported horse meat and horse meat food products to be handled and transported as domestic. All imported horse meat and horse meat food products, capable of being used as food for man, after admission into the United States in compliance with this part shall be deemed and treated and shall be handled and transported as domestic horse meat and horse meat food products, and shall be subject to the provisions of Parts 301 through 329 of this subchapter which are applicable to domestic horse meat and horse meat food products, and to the provisions, prohibitions, and penalties of the Horse Meat Act and the Meat Inspection Act as made applicable to horse meat and horse meat food products. Imported horse meat and horse meat food products which have been inspected, passed, and marked under this part may be transported from one State or Territory or the District of Columbia to another State or Territory or the District of Columbia, or to any place under the jurisdiction of the United States, or to a foreign country, only upon compliance with all of the provisions of Part 325 of this subchapter, except §§ 325.10 and 325.11, as if said provisions referred to horses, horse meat and horse meat food products.

§ 329.14 Definitions. As used in this part:

(a) The term "United States" includes Alaska, Hawaii, and Puerto Rico.

(b) The term "horse meat food product" and the term "horse-meat product" include horse meat byproduct.

PART 340—SPECIAL SERVICES RELATING TO MEAT AND OTHER PRODUCT

Sec.

340.1 Meaning of words.

340.2 Definitions.

340.3 Types and availability of service.

340.5 Application for service.

340.6 Denial or withdrawal of service.

340.7 Fees and charges.

§ 340.1 **Meaning of words.** Words used in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 340.2 **Definitions.** For the purposes of the regulations in this part, unless the context otherwise requires, the following terms shall be construed, respectively, to mean:

(a) **Department.** The United States Department of Agriculture.

(b) **Service.** The Consumer and Marketing Service of the Department.

(c) **Administrator.** The Administrator of the Service or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(d) **Director.** The Director, Meat Inspection Division of the Service, or any officer or employee of the Department, to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(e) **Inspector.** Any officer or employee of the Department authorized to perform any duties under the regulations in this part.

(f) **Person.** Any individual, corporation, company, association, firm, partnership, society, or joint stock company, or other organized group of any of the foregoing.

(g) **Federally inspected and passed.** Inspected and passed under the Meat Inspection Act, as amended (21 U.S.C. 71 et seq.) or under the provisions in paragraphs 306 (b) and (c) of the Tariff Act of 1930 (19 U.S.C. 1306 (b) and (c)).

(h) **Official establishment.** An establishment operated under Federal meat inspection pursuant to the Meat Inspection Act, as amended (21 U.S.C. 71 et seq.).

(i) **Food article.** Any article of human food derived wholly or in part from meat, meat byproducts or meat food products and not subject to the Federal meat inspection laws but for which the mark of Federal meat inspection is requested.

(j) **Reindeer.** Domesticated reindeer.

§ 340.3 Types and availability of service. Upon application in accordance with § 340.5 the following types of service may be furnished under the regulations in this part:

(a) *Identification service.* (1) Meat or other product that is federally inspected and passed at an official establishment, or upon importation, under the meat inspection laws, is officially marked to identify it as federally inspected and passed. In order to facilitate the division of such meat or other product into smaller portions or its combination into larger units and still maintain its identity as product which has been federally inspected and passed and so marked, inspectors may supervise the handling of the product and mark such portions or units with the marks of Federal inspection when they determine that the identity has been maintained.

(2) At the time service is furnished product must be sound, wholesome and fit for human food. The service will be available only on premises other than those of an official establishment. The sanitation of the plant or area where service is furnished must comply with applicable provisions of Part 308 of this subchapter.

(3) The mark of inspection shall be applied only under the immediate supervision of an inspector.

(4) The service will be available for products moved in tank cars and tank trucks from an official establishment or from a location operating under this service only if such tank cars or tank trucks are equipped for sealing and are securely sealed by an employee of the Meat Inspection Division of the Consumer and Marketing Service with an official seal of the Department bearing the inspection legend before leaving such official establishment or such other location.

(b) *Certification service.* At the request of a purchaser, supplier, exporter, or others, inspectors may make certification regarding livestock products for human food purposes (including casings), to be exported, as meeting conditions or standards that are not imposed or are in addition to those imposed by the regulations in Parts 301 through 329 of this subchapter and the laws under which such regulations were issued.

(c) *Food inspection service.* An inspection and certification service for wholesomeness relating to the manufacture

of a food article may be furnished upon application. All applicable provisions of this subchapter shall apply to the preparation, labeling and certification of the food article prepared under this food inspection service.

(d) *Reindeer inspection service.* An inspection and certification service for wholesomeness relating to the slaughter of reindeer. All applicable provisions of this subchapter shall apply to the slaughter of reindeer, and the preparation, labeling, and certification of the reindeer meat and reindeer products prepared under this reindeer inspection service.

§ 340.5 Application for service. Any person who desires to receive service under the regulations in this part for meat or other product eligible therefor under such regulations may make application for service to the Director, upon an application form which will be furnished by the Director upon request.

§ 340.6 Denial or withdrawal of service. (a) If any person has applied for service for meat or other product not eligible therefor under the regulations in this part, or has failed to make proper application for service or to pay fees and charges due for service furnished or to be furnished to him under the regulations in this part, or if the service cannot be furnished to any person applying therefor because of lack of available inspectors or other administrative reasons, the service may be denied to such person by the Director until the condition justifying such denial is corrected.

(b) Service under the regulations in this part may also be denied to any person by the Administrator for such period as he may deem proper, if it is determined, after opportunity for hearing before a proper official in the Department, that such person has been responsible for any willful misrepresentation to the Department concerning any meat or other product for which service has been requested under the regulations, in this part, or that such person has been responsible for the use without authority, or the imitation, of any marks or certificates of Federal meat inspection on or with respect to any meat or other product, or has otherwise been responsible for any fraudulent or deceptive practice with respect to such service, or that such person has interfered with or obstructed any inspector in the performance of his duties under the regulations in this part, or attempted to do so. Pending final determination of the matter, the Director may deny or withdraw service without hearing in those cases where the public interests so require. In other cases prior to the institution of proceedings for denial of service under this paragraph, the facts or conduct

which may warrant such action shall be called to the attention of the person involved, in writing, and he shall be given an opportunity to demonstrate or achieve compliance with all applicable requirements.

§ 340.7 Fees and charges. (a) Fees and charges for service under the regulations in this part shall be paid by the applicant for the service in accordance with this section, and, if required by the Administrator, the fees and charges shall be paid in advance.

(b) The fees and charges provided for in this section shall be paid by check, draft, or money order payable to the Treasurer of the United States and shall be remitted promptly to the Administrator upon furnishing to the applicant of a statement as to the amount due.

(c) The fees to be charged and collected for service under the regulations in this part shall be at a uniform hourly rate fixed by the Director, Meat Inspection Division, to cover the costs of the service and shall be charged for the time required to render such service, including but not limited to the time required for the travel of the inspector or inspectors in connection therewith during the regularly scheduled administrative workweek.

(d) Charges may also be made to cover the cost of travel and other expenses incurred by the Service in connection with the furnishing of the service.

Subchapter D—Humane Slaughter of Livestock

PART 380—DESIGNATION OF METHODS

Sec.

380.1 Definitions.

380.5 Chemical; carbon dioxide.

380.15 Mechanical; captive bolt.

380.16 Mechanical; gunshot.

380.30 Electrical; stunning with electric current.

§ 380.1 Definitions. For the purpose of this part the following terms shall be construed, respectively, to mean:

(a) **The Act.** The Act of August 27, 1958 (Pub. Law 85-765) relating to humane slaughter of livestock.

(b) **Division.** Meat Inspection Division, Consumer and Marketing Service, United States Department of Agriculture.

(c) **Inspectors.** Inspectors of the Division.

